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ARCHIVES OF MARYLAND

LXV

PROCEEDINGS

OF THE

PROVINCIAL COURT OF MARYLAND

1670/1-1675

COURT SERIES

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LETTER OF TRANSMITTAL

To the Maryland Historical Society:

GENTLEMEN AND LADIES:

This volume of the proceedings of the Provincial Court of Maryland, 1670-1675, is Volume LXV of the *Archives of Maryland* and number 10 of the sub-series on the courts. The sixth volume of the Provincial Court records, it begins in February 17, 1670/1 where Volume LVII ended, and continues to November 16, 1675. The text printed here reproduces the manuscript as exactly as the resources of a modern press permit, for the Publications Committee still believe what the first editor, Dr. William Hand Browne said in the preface to Volume I: "The moment an editor allows himself to make any correction, however slight or obvious, the integrity of the text is gone, and in its stead is given a version", of uncertain accuracy (*Archives of Maryland*, Vol. I, p. lv.). It was set directly from photostats of the original Libers JJ and MM, now in the Land Office in Annapolis. A concession or two had to be made. The table printed here on page 538 in one column was written by the clerk in two columns, like a page from a double-entry ledger. But he could compress his handwriting and get them side by side. This the press could not do: type is not made of rubber.

The handwriting of the late seventeenth century was not that of the twentieth. At its best it is not easy for the twentieth century to read, and often these scribes did not do their best. Sometimes they seem to have known or cared little about the record they were keeping. A straight line over a letter is supposed to denote the omission of *m* or *n* after it: many times here the sign is used where the omitted letter belongs before the marked letter. In any case the contractions present a problem for the typesetter. There are, for instance, six different combinations used with the letter *p*, and each of them must have been cut separately every time it appears. It is true that a *p* with a stroke over it could have been set easily, but such a combination means only *pm* or *pn*, a combination for which we have had little or no use. Especially valuable would have been a character for *p* with a straight stroke through the stem, or a *p* with a stroke curved around the stem. The first of these means *per, par* or *por*, the latter means *pro*, and the two of them appear on every page. Accordingly, since it was substantially impossible to reproduce all the contraction marks, it was decided to reproduce none of them. People interested in seventeenth century records, to whom this volume is especially attractive, might have been confused or annoyed by an inaccurate contraction: they can, without too much difficulty, read *imparle* for *imple*, or *person* for *pson.*

Handwriting offered other troubles than the abbreviations. Even a person who knows that, in the seventeenth century, lower case *o* and lower case *e* were much alike, and who is, therefore, alert to distinguish between them, has trouble in doing so. Upper case and lower case *s* cannot be distinguished with any certainty. We do not know whether the clerk wrote *St. Marys* or *st. Marys.* Hundreds of times he had to write "sealed with the seale of him, the said" defendant; whether the *s*'s were capitals or small letters no one can say. The same thing is true of *p* and of *r* and of *v*. Lower case *n* and *u* are often identical, as they are today in the handwriting of some persons. Is it *Gannt* or *Gaunt?* Is it *commannd* or *commaund?* The manuscript has been set according to our best judgment, but the editor —who did the proofreading— is not so arrogant as to assert that there are no errors.

One slip by the clerk must be noticed especially. On page 392 *post,* the page number of the original liber changes from 297 to 398, and the mistake is continued to the end of the liber.

In the appendix is presented a part of Liber P.C.R. which was missing when Volume XLI appeared in 1922. At that time, pages 315-340 were not in the liber (Volume XLI, p. 343). Since then, they have been found and restored to their place. Like the body of the text, they have been printed as accurately as modern methods permit.

The Committee wish to express thanks to several people who, upon call, lent their aid in producing this volume. Mr. Samuel E. Thorne, librarian of the Yale Law School, and Mr. Mark DeWolfe Howe, professor of law in the Harvard Law School, each transcribed from photostats of the original the paragraph on pages 87-88 of the text here. That paragraph is in mediaeval Latin with all the abbreviations and contractions common to seventeenth century handwriting. Since it was substantially impossible to reproduce the abbreviations exactly, it was felt to be better to expand them: what is offered here is, therefore, an expanded text. Mr. Richard B. Morris, professor of history at Columbia University and chairman of the American Historical Society's committee on legal history, read the introduction and indicated errors. To all of these men the Committee and the editor are grateful.

Volume LXVI, on which work has already begun, will carry the record of the Provincial Court down to 1679. It will consist of Liber NN, now in the Land Office at Annapolis.

Respectfully submitted,
J. HALL PLEASANTS, *Chairman,*
CHARLES A. BARKER,
JOSEPH KATZ,
HARRISON TILGHMAN,
GEORGE ROSS VEAZEY.

INTRODUCTION

The history of the Provincial Court from its establishment soon after the founding of the Province down to its abolishing in 1805 has been told so often, in introductions to former volumes of the *Archives of Maryland* and in the books of Bozman, Thomas, Steiner, Newbold and Judge Carroll T. Bond, that no good purpose would be served by repeating it here. The jurisdiction of the Court continued to be what it had been. All felonies punishable by loss of life or of limb, and all civil cases involving 3000 pounds of tobacco or more must originate there, and smaller cases could originate there if the judges wanted to consider them. Daniel Jenifer, innholder, lawyer and one-time clerk of the Court, claimed Lodowick Martin owed him 308 pounds of tobacco, and the Provincial Court heard and decided his case. With tobacco at a penny a pound, we have the Court interesting itself in something worth not much more than a pound sterling (*post*, pp. 364-365). Cases originating in the county courts could be and were appealed to the Provincial Court, even when the sum of the debt involved was much less than the stipulated 3000 pounds of tobacco.

In the years from 1671/2 to 1675, as in earlier times, the justices of the Provincial Court were the same men who were members of the Governor's Council, of the Upper House of Assembly, of the Court of Chancery and of the Orphans Court, though it is sometimes not clear in which capacity they were acting. Beside their multiplicity of joint duties, the justices held other offices individually and personally. Almost every justice had some independent office, usually an exceedingly well-paid one, and all of them were, in addition, large landholders. Governor Charles Calvert was the son of the Proprietary, and he came in the fulness of time, to be the third Lord Baltimore and the second Proprietary. Philip Calvert, uncle of the Governor, was Chancellor and Commissary General. Sir William Talbot was secretary of the Province and chief judge for the probate of wills, until June 1673, when his commission was revoked by the Proprietary and his place was taken by William Calvert (*post,* 118, 234). Baker Brooke was surveyor general. New members were presumably always sworn in, either as Council members or as justices of the Court, but the swearing-in is not always recorded. Edward Fitzherbert was sworn in on January 19, 1670/1 (*Archives,* V, p. 82), but for Jesse Wharton, who appears in court for the first time on December 10, 1672, there is no record of a commission or of an oath-taking. Baker Brooke, the surveyor general, had been a member since 1658, longer than anyone else. Samuel Chew and William Calvert joined the Court on December 14, 1669 (*Archives,* LVII, p. 481). Henry Coursey, who had been a member from 1660 to 1670, and who became one again in 1676, was not on the court for the period to which this volume relates.

The Court sat generally every three months except in midsummer: there were no sessions from April or May until October or November. All the sessions at this time were held at St. Mary's City. From February 1670/1 to April 1673 the business of the court was exclusively criminal, and the record of the opening of each session shows that this was the case. The Court was "to Keepe the peace in the Province of Maryland aforesaid, moreover to heare and Determine diverse fellonyes & transgressions and other misdemeano^{rs} in the said Province perpetrated" (*post,* pp. 1, 8, 11, 16, 22, 30, 33, 43, 58). It is true that these criminal sessions occupy the final forty-eight folios in Liber JJ of the Court records, but this is due to the Court itself; the clerk did no more than take advantage of a fact. In Liber MM there is but one mention of criminal cases (*post,* p. 91) and none of the recorded openings of the Court speaks of them. All the cases heard from then on were civil, and the greater part of them were some form of debt. Most of the cases were original: there are only seven cases coming up on appeal and three on writ of error. This is less than half the number recorded in the sessions immediately preceding (*Archives,* LVII, p. xxiii). No cases at all were appealed from Anne Arundel, Baltimore, Charles, Kent, Talbot and Worcester Counties.

The Court consisted of the Governor and Chief Justice and nine other justices, but the sessions were seldom, indeed, never, attended by all the members. On one occasion nine in all were present; at no other time were there more than six. To constitute a session, there must be at least four members present (*post,* p. 91), of whom one must be a member of the quorum. Of twenty sessions, the Governor and William Calvert were present at seventeen, and Baker Brooke at fourteen. Only Chancellor Philip Calvert was always in attendance. William Talbot, who returned to England in 1673 and did not come back, came to court only twice. Thomas Taylour, who appeared for the first time on April 10, 1673 (*post,* p. 91), came to only three more sessions. He was sheriff of Dorchester County; perhaps that explains his absence from Court sessions on the western shore. Thomas Truman, who attended seven sessions, did not come at all after February 1674/5, though he did not cease to be a member of the Court. Edward Fitzherbert, sworn in on December 15, 1670 (*Archives,* LVII, 576) was regular in his attendance until December 10, 1672, when he seems to have left the Court. Samuel Chew, of Anne Arundel, was intermittent and infrequent in his attendance though he did not cease to be a member of the Court until 1677. Dr. Jesse Wharton, who does not appear until December 10, 1672, attended regularly until the end of this period.

The clerk of the Court when the February 1670/1 session began was Robert Ridgely, who took the oath of office on January 19, 1670/1 (*Archives,* V, 82), succeeding Thomas Cabewood (or Cakewood), discharged for misdemeanor. The clerk was also register of the Court of Chancery, keeper of the lesser seal and chief clerk of the secretary's office (*ibid.,* pp. 88-90). He was an attorney of the Provincial Court, and he appeared before it in that capacity, both while he was clerk and after he left the clerkship.

On March 23, 1673/4, John Blomfeild took the oath of office to succeed Ridgely as clerk (*ibid.,* 124). He had been clerk earlier, from May 5, 1669 to July 21, 1670, and he had been removed because he was "unfit any Longer to be employed in that Office by Breach of the Peace and other misdemeanors" (*ibid.,* p. 66). Like the justices themselves the clerk of the Court was a man of many offices. He was "chief Clerk . . . of the Secretaries Office Provincial Court and Council . . . keeper of the lesser Seal Records and Registries" and for these offices he was granted "one third part of all & singular the Fees duties and Regards unto the said Office and Offices belonging." He was also "the publick Notary of this Province of Maryland" and had one third of the notary's profits (*ibid.*, pp. 49-50). Blomfeild remained in office for several years this time.

Many attorneys practiced before the Court at this period, most of them in civil cases. Indeed, until now it has been believed that persons accused of crime never had counsel, and truly the general use of attorneys for criminals did not begin until the eighteenth century. But the present record shows, beyond a doubt, that in four cases the defendant not only had a lawyer, but appeared by his attorney instead of in person. On December 19, 1671, "Joshua Guibert p^{r}sented last Court for marking John Blomfeilds Cattle with the said Guiberts marke appeared by Robert Carvile his Attorney & stood upon his Traverse Ordered by the Court that the p^{r}sentm^{t} ag^{t} the said Guibert be quashed, and that he goe thereof without day" (*post*, pp. 12-13, 19). On February 13, 1671/2, Justinian Gerard, brought into Court on an indictment for hogstealing (*post*, p. 23) was "admitted by the favour of the Court to have John Morecroft one of the Attorneys of this Court to be of his Counsell" (*post*, p. 28). And the plea made by Morecroft for him brought about his acquittal (*post*, p. 29). On December 11, 1672, James Neale, Junior, presented by the grand jury for hogstealing, on his appearance in Court, "Desired Councell to be assigned him by the Co^{rt} who ordered M^{r} Morecroft one of the Attorneys of this Co^{rt} to be of Councill for the prisoner" (*post*, pp. 45, 47). On the same day, Neale's father, James Neale, Senior, likewise under indictment for hogstealing, likewise "desired Councell to be assigned him by the Court, who ordered Mr Morecroft one of the Attorneys of the Court to be of Councill for the prisoner" (*post*, p. 48). Morecroft persuaded the jury that the elder Neale was not guilty, but the son was declared guilty as a first offender, and, on an abject petition to the Governor, was pardoned by him (*ibid.*). In addition to these four cases, where without a doubt, attorneys represented persons accused of crime, there is another in which an attorney may have figured as counsel. On February 16, 1672, Joseph Weekes, presented for stopping a Kent County highway, appeared and traversed the presentment "And upon the motion of Mr Morecroft the said p^{r}sentm^{t} was quashed by the Court for the incerteynties thereof." (*post*, p. 25). It is very probable that Morecroft was Weekes's counsel.

Twenty-eight different men appeared and represented clients in this four-year period. Some of them may have been attorneys in fact, not in law: it is often difficult or impossible to be certain. Of course, when they were sworn in, and given the right to practice before the Court, that settles it. Of the twenty-eight, only a dozen or so had more than a few cases, and three or four were the busiest. Kenelm Cheseldyn had more than two hundred clients, and he was himself a party in seventeen more cases. Vincent Lowe, Robert Ridgely and John Rousby also appeared often. What is surprising to a modern student of courts is that court clerks and even the attorney general appeared on the other side of the bar in their own court. Attorney General Lowe appeared almost fifty times, and the clerks, Robert Ridgely and John Blomfeild represented clients, and, even more, plead their own cases before the court. Although persons accused of crime generally did not have counsel, those involved in civil suits not only could have attorneys, but must have them. When Francis Gill appeared in Court in his proper person, he "was by the Co^rt^ ordered to Retaine an Attorney" (*post,* p. 81).

John Morecroft, attorney and chirurgeon, came into Maryland from Virginia in 1665. He continued to practice law, and, almost at once, he became involved in a defamation action against his former indented servant, William Champe. Champe called him a "Cheating old Knaue" (*Archives,* LVII, 122), but when, in October 1666, Morecroft sued on a writ of privilege, Champe plead that the words had been uttered before his former master was sworn in as an attorney, and that they were thus not actionable. Morecroft was sworn in on June 12, 1666 (*ibid.,* p. 108) and the Court upheld the contention of the defendant (*ibid.,* p. 122). In 1669, Morecroft was elected to the Lower House, to the first session of the Assembly since 1666. Almost at the beginning of the session, he was impeached, largely at the instance of Captain Robert Morris of Talbot County. Morris charged that Morecroft "took fees on both sides in one & the same Cause" (*Archives,* II, pp. 166-167). The Upper House investigated the charges and decided that "the said Morecroft hath done nothing but what he might lawfully do and therefore he be dismissed with Costs and Charges by him sustained by reason of this pretended Impeachment

"Ordered that Robert Morris pay to the Clerk of the Upper House for Fees the sum of fourteen hundred twenty two pounds of Tob^o^" (*Archives,* II, pp. 166-173). So John Morecroft was acquitted on the impeachment, restored to his place as an attorney, and to his seat in the Lower House. He remained in the Lower House until his death.

It was this same John Morecroft who was described by Governor Charles Calvert in a letter to his father Cecilius, the Proprietary, in 1672 as "the best Lawyer in the Country, and has alwayes been (vpon other Assemblyes) A great Asserter of yo^r^ Lo^pps^ Charter and the Rights and privilidges thereof" (Calvert Paper 1064 in *The Calvert* Papers. number one, Fund Pub. 28, p. 264).

Attorneys of the Provincial Court had special rights and privileges, and plead them, when they themselves appeared in Court. Suits to which they were a party were always brought according to the liberties and privileges of attornies. In October 1674, Mathew Warde, attorney, brought into Court John Scott of Talbot County, carpenter, by a writ of privilege, to answer "according to the libertyes and privelegdes of the Same Court for Attornyes and other ministers" (*post,* pp. 362-363).

But the Court which protected the attornies from abuse from without, was never unmindful of its own dignity, and it held the attornies and anyone else who appeared before it strictly to account for their behavior. Although the word is not used, contempt of court was as intolerable in 1671 as it is today, or as it was in the twelfth century. Did the attornies fail to be in court when they should have been there? "Upon the Petition of Kenelm Cheseldyn Robert

Carvile and John Rousby Attornyes of this court That the Petitioners being absent at the Sitting of this Court On Saturday last the Court proceeded to the calling the Docquett and for want of the Petitioners attendance the Court did nonsuite and give judgment against severall of the Petitioners Clyents who are thereby very much dampnified. The Petitioners Pray that in regard they did not heare the last beateing of the Drumm being a windy morning and that it was not a wilful default of the Petitioners they humbly pray that the said causes may be reteined and their Clyents not Suffer for this default." What the Court did about the cases does not appear, but it was "Ordered by the Court here that the Petitioners be fined to his Lop̄p the Lord Proprietary the sume of foure hundred pounds of tobacco apeice." (*post,* pp. 383-384) Yet the Court did, upon occasion, take judicial notice of the weather. It declared that it was sensible that the tediousness of the December weather was the reason that auditors had not done their work (*post,* pp. 63, 99), or that the sheriff of Talbot County had not served his writs as by law he ought, and the cases were delayed until next Court (*ibid.,* p. 440). John Rousby, one of the busiest and brashest attornies before the Court was fined one hundred pounds of tobacco for violation of a Court order "that the Attornyes Speake regularly and when the Court think fitt under fine of One hundred pounds of tobacco each tyme (*ibid.,* p. 585).

One case of what must be disbarment occurs in these proceedings, though, as often happens, the word is not used. "Thomas Knighton one of the Attorneys of this Court being accused for falsefying a writ out of this Co^{rt} after it was under the lesser seale of this Province & signed by the Clerke, and the said Knighton humbly Confessing such his misdemeano^{r} submitted himself to the mercy of the Court, who this day ordered that the said Knighton be Discharged of his place of an Attorney in this Court and never more psume to practise in this Province, but impose no fine upon him quia pauper." (*post,* p. 50)

In criminal cases it was all but indispensable to have grand jury action. Such a jury, consisting of from sixteen to twenty men "sworn according to the Teno^{r} of the oath usually administered to Grand Juro^{rs}." (*post,* pp. 2, 8), considered indictments delivered them by the Attorney General and returned either a true bill or an *ignoramus.* Upon a true bill, the accused was tried, by a petty jury. The jury might be called a trial jury, a petty jury or a jury of life and death. Upon an *ignoramus,* the accused was discharged by the Court, either with or without an acquittal by proclamation (p. 32). The grand jury could, of course, present persons, without any action by the Attorney General, and it did so, for substantially the same crimes as those coming up by indictment. Once a true bill or a presentment had been voted by the grand jury, there was a trial, usually by a jury of twelve. In criminal cases the case against the accused was set forth by the Court itself, with testimony being heard, and with the prisoner speaking in his own behalf. He —or she— was told that he had a right to challenge any of the talesmen, but there were no challenges used in any of these criminal cases, and but one —for cause— in a civil case (*post,* 147-148). It was also possible to have a non-jury trial, but this, too, was not done in any of the criminal cases here.

In civil cases, too, the jury figured largely. In fact, one of the main duties of the sheriff of St. Mary's was the summonsing of "twelve &c by whom &c who neither &c to recognize &c because as well &c". This formula was never written out in full; sometimes it was even further abbreviated to "twelve &c". The jury was called to try cases, although many times when the trial opened, the defendant failed to appear, or, appearing, offered no defense; thus he suffered judgment by default and no jury was needed. Juries were also called to appraise the value of land (*post,* p. 668), to decide on its partition (*ibid.,* p. 410), or to direct the carrying out of a survey (*ibid.,* 355-356, 466). In half a dozen cases, juries were called to ascertain the amount of damages suffered, in cases where the Court had decided that damages were due, but had not been able to say how much they should be (*ibid.,* pp. 202, 239, 312, 331-332, 552-553). Jurymen and talesmen and sheriffs, like attorneys, often felt the displeasure of the Court in a substantial way. A dozen times, men called for jury service and not appearing, were fined 500 pounds of tobacco (*post,* 18, 21, 24, 25, 29, 31, 32, 40, 45, 141, 225, 246, 314). Another juryman, who disclosed the verdict prematurely also paid his 500 pounds (*ibid.,* 440). A witness who did not appear at the proper time escaped the usual fine only by making it appear that he had not been properly summoned (*post,* pp. 203-204). Sheriffs were regularly amerced, or fined, 40 shillings when someone for whom they had returned a *cepi* (I took him) failed to come up to court. The Governor acting as Governor and not as Chief Justice could and did sometimes remit these fines (*ibid.,* 33, 225).

There was no insistence, apparently, on getting high-quality jurymen. On December 19, 1671, Joshua Guibert, presented "for marking John Blomfeilds Cattle with the said Guiberts marke appeared by Robert Carvile his Attorney", stood on his traverse and had the presentment against him quashed (*post,* p. 19). Yet, two days later, Guibert was chosen as a juror in a murder trial, and he served without being challenged (*ibid.,* pp. 19-20). William Whittle, fined 100 pounds of tobacco for being drunk in court (*ibid.,* p. 29), had served on juries and served again later (*ibid.,* p. 159). Another talesman, appearing in Court too drunk to serve, was set in the stocks for half an hour (*ibid.,* p. 50). Another absent talesman, fined the usual 500 pounds, had his fine remitted when he proved he was in jail at the time and could not come (*ibid.,* p. 225).

APPEALS

In the period covered by the present volume there are not many cases heard by the Provincial Court on appeal or writ of error from county courts, and none of them were important. Two or three cases came up on writ of error, with no indication of the county in which they had arisen. They were only "upon Errors Continued untill the next Provincial Co^{rt}" (*post,* p. 108) and when at that next court they were considered again "These two Causes upon writs of Erro^{r} are by Consent of Attorneys of both sides continued untill the next Co^{rt}." (*ibid.,* p. 168). After that, no more is heard of them here.

But a writ of error, a common law process, examines the law only and reverses the decision only if errors of law have been made in the lower court. An appeal subjects the law and the facts both to a review and a retrial, and it can result in a reversal if there have been errors in either. There were in 1671-1675 ten counties in the Province; from seven of them, Anne Arundel, Baltimore, Cecil, Charles, Kent, Talbot and Worcester, no cases at all appear. From Calvert County, in the case of Daniel Gouldson and William Hallett *v.* Demetrius Cartwright (*post,* pp. 299-300) both parties appeared in court, by attornies, on the appointed day, but the plaintiffs on appeal had not filed the new declaration against the defendant on appeal which they should have filed. For that reason the Court ordered a non-suit against them and charged them with Cartwright's costs. In the other Calvert County case, that of John Troster *v.* William Melton, Admr. John Foster (*post,* 370, 406, 492, 555, 593), Melton had refused to allow some accounts, and, in the lower court, Melton won. Troster tried to appeal the decision, but the county court refused to enter the appeal. Now he petitioned the Provincial Court, and, on October 16, 1674, the higher court ordered the appeal admitted, upon the usual triple security to prosecute. Troster seems also to have sued Melton personally (*post,* p. 406); and Melton as administrator sued Troster. On December 12, 1674, Troster imparled the case Melton had brought against him (p. 396) and got a continuance of his case against Melton (p. 406). On February 15, and again on May 7, 1675, both cases were continued (*post,* pp. 483, 492, 553, 555) and on November 16, 1675, both cases were agreed (*post,* pp. 592, 593). Carvile was Melton's attorney, Robert Ridgely was Troster's.

From Dorchester County two cases came up to the Provincial Court. One was that of Timothy Lowe *v.* Thomas Ball. On February 9, 1674/5, the case was continued (*post,* 498), and on November 26, 1675, when it should have been heard, neither party appeared, and it was therefore discontinued (*ibid.,* p. 611). The other Dorchester case was that of John Hudson *v.* Thomas Taylor. Although it was Hudson who brought the appeal, he did not appear when, on May 7, 1675, it was to be heard, and therefore the defendant in error was granted a *procedendo,* which had the effect of sending the case back to Dorchester. The Provincial Court also allowed Taylor his costs of 940 pounds of tobacco (*ibid.,* p. 566).

From a decision of the St. Mary's County Court, Thomas Oakely appealed against Lydia Solly, administratrix of her deceased husband Benjamin Solly. Like so many cases, it was continued, February 9, 1674/5 (*post,* p. 497) and was settled by agreement on May 6, 1675 (*ibid.,* 548).

In Somerset County, John Hilliard appealed from a decision of the county court in his case against George Johnson, but, on December 12, 1674, he failed to appear in the Provincial Court. Accordingly Johnson was given a *procedendo* and the case was closed (*post,* p. 388). Another Somerset case, that of James Price *v.* Henry Smith, was continued in the Provincial Court on May 4, 1675 (*ibid.,* p. 581), and on November 24, 1675, when neither party appeared, it was discontinued (*ibid.,* p. 615).

Two verdicts delivered by the Court at these sessions were appealed from it to the Upper House of Assembly, wherein sat the same men who were justices of the Court. In one case, Thomas Chandler and William Russell, who had formerly sued each other (*post,* pp. 397, 401), were jointly sued by John Wells, a professional informer (*ibid.,* 218-222, 388, 564). Russell and Chandler then sued (*ibid.,* pp. 225, 243, 291, 319), but when the case came up for trial, they did not appear and the case was dismissed (*ibid.,* 319). On February 1, 1673/4, Wells's case against them resulted in judgments against them for 16,500 pounds of tobacco, with costs totalling 1148 pounds more (*ibid.,* 218-222). In the Upper House, to which the cases were taken by Chandler and Russell on writ of error, they assigned no errors, the writs were quashed and the decision stood (*Archives,* II, p. 432). Wells had been awarded his costs and that half of the penalty which an informer always got, but the defendants came to some kind of settlement out of court. On May 4, 1675, the case was settled by agreement (*post,* p. 564).

Another dispute, that of Raymond Staplefort *v.* John Balley, which had been in the courts for ten years, had a Provincial Court decision on April 18, 1674 (*post,* pp. 256-257). By it, execution was issued against Balley for £2000 sterling, for which Staplefort had obtained a judgment on February 9, 1668 (*Archives,* II, 364). The tenacious Balley, though he was in the custody of the sheriff, sued out a writ of error to the Upper House, on June 2, 1674, and when he proved to the satisfaction of that body what skulduggery Staplefort had practiced on him, he was given an annulment of judgment (*ibid.,* 381).

CRIMINAL CASES

For the two-year period from February 1670/1, the Provincial Court was concerned with criminal cases only, as the formula with which the sessions opened shows clearly. The Governor and the other members were "Justices assigned to Keepe the peace in the Province of Maryland aforesaid, moreover to heare and Determine diverse fellony & transgressions and other misdemeano^{rs} in the said Province perpetrated and Comitted" (*post,* p. 1). Included among the felonies and misdemeanors were murder, petty treason, burglary, theft, assault and battery, keeping an unlicensed ordinary and the altering of cattle marks, indeed a diverse lot. As is the case today, cases came before the court in one of three ways: by indictment, voted by the grand jury after the attorney general had laid the accusation before them; by presentment by the grand jury itself without any bill of indictment by the government; by information filed by some officer of the government without the intervention of the grand jury. All these methods were used in this period. Sometimes the clerk has given a complete and full account of the case, sometimes only a summary.

There were four cases of murder tried by the Court now, and one of petty treason, (the killing of a master by his servants, of a husband by his wife, or of a high ecclesiastic by one of his inferiors). The case of the Province against James Sall, John the Negro, Robert Warry, Robert Spear and Tony the Negro, all laborers, all servants to the late John Hawkins of Elk River, is set forth at length. Mr. Attorney General Lowe delivered the indictment for petty treason. The five of them "with certaine Axes of the vallue of forty pence which they . . . did severally hold in their hands and upon the foremaned Hawkins then there master . . . did make an assault . . . with the said Axes . . . did severally strike so that . . . the head of the said Hawkins . . . was then and there broke . . . breaking in Severall pieces the skull . . . of the Depth of Three Inches of the breadth of One Inch and the length of One Inch and a halfe whereupon . . . the said Hawkins instantly of the said blowes Died so that they . . . of their mallice aforethought . . . voluntaryly & wickedly feloniously and Traytorously did Kill against the peace of the Lord Proprietary his rule and Dignity (*post,* p. 3). With the indictment the Attorney General laid before the grand jury all the papers about the business. The witnesses were present and were heard. The grand jury withdrew "into a private Roome to consider of their verdict" and came back half an hour later with a true bill. The prisoners were brought to the bar and asked how they plead. Three of the five plead not guilty and chose to be tried "by God and his Country," that is, by a jury. One, Robert Warry, confessed his guilt and the jailer was at once commanded to look to him. When it appeared that Tony the Negro spoke no English, "his pleading was respited that the Court and the Jury . . . might see how farre . . . [he] was concerned in this business." The jury which the sheriff of St. Mary's had summoned was brought into the court and was sworn in. The jurymen were to decide whether the prisoners were guilty or not, and if they found them guilty, they were to ask what lands and other possessions they had. The Baltimore County coroner and three other witnesses testified, and the jurors went from the bar to consult. On their return, with a verdict, the prisoners were called to the bar to hear that verdict. Sall and Speare and John the Negro were declared guilty, and Robert Warry had confessed. Tony the Negro who spoke no English was declared not guilty, and, when no one alleged any other crime or misdemeanor against him, he was freed. On the convicted four the Governor pronounced sentence of death by hanging. The gallows was to be set up at St. Mary's City, and Tony the Negro who had just been acquitted of guilt was to be the hangman (*post,* pp. 2-8).

Petty treason, it goes without saying, would today be no different from any other murder. Besides this interesting case, there were three charges against women for murdering their bastards, and one other murder charge. Isabella Yausley gave birth to a male child secretly and alone, and later she killed the child. She was indicted, and on the indictment the grand jury returned a true bill. Brought to the bar, she plead not guilty and put herself upon the country. The trial jury heard the witnesses and heard Isabella also. Then, after a half hour's retirement, they pronounced her guilty. Amid a general silence, "the Chancelour made a short Repitition of the foulnes of her Offence and advising her to prepare for her End, and the passed Sentence as followeth

> "Thou Isabella Yausley art to . . . be hanged by the neck untill thou shalt be dead".

And the sheriff was ordered to see to it that she was hanged on April 17, 1671 (*post,* 9-11). For Mary Stevens and Ann Pattison, also charged with murdering their bastards, the process was almost the same, but the outcome was different. In the case of Mary Stevens, "the Court Examining the busines fully finde no proofe of the said Indictm^t^ whereupon the said Mary was quitted by pclamation" (*post,* pp. 13, 14, 18, 20). Ann Pattison who was charged with killing her bastard on March 1672, was indicted and tried but the "Juro^rs^ upon their oathes doe say that she is not Guilty of the felony & murder whereof she stands indicted nor that she did fly for it, and so they say all whereupon the said Ann Pattison was acquitted by pclamation & by the Court discharged." (*post,* pp. 30, 31-33).

On December 19, 1671, Francis Tyler, late of Anne Arundel County, was indicted by the grand jury for killing John Beck by striking him on the head with a stick on October 25, 1670. Tyler plead not guilty and put himself upon the Country. At the trial, three witnesses were heard, and Tyler himself testified. The jury decided that he was "not guilty and so say they all The Clerke demanded of the Jury if he did fly for it. they reply not to their knowledge" (*post,* p. 20). In two other criminal cases, this same question is asked, whether the accused person had fled or tried to flee, and the jury replied, both times, that he had not (*ibid.,* pp. 26, 33). When the clerk demanded how Beck came to his death, "they say that ffrancis Tyler Killed the said John Beck with a Tobacco stick in his own Defence." When no one appeared, to say that Tyler was guilty of any treason, felony or murder, he was acquitted by proclamation (*ibid.,* pp. 17, 18, 19, 20).

On February 13, 1672, Philip Lynes of Charles County was presented by the grand jury for burglary, Richard Robinson was presented for theft, and several other planters and their wives were presented because they "did feloniously incite councell and abet the said Richard Robinson" to his crime. All of these presentments grew out of the same episode. Lynes "feloniously burglarly and in the night" broke and entered the store house of John Allen at Port Tobacco Creek, and Robinson, egged on by the others, stole merchandise to the value of several pounds. Allen must have kept a general store: among the goods stolen were yards of fabrics of several kinds, shoes and ribbons, "two payer of ffrench ffalls to the value of six shillings", sugar and flour and soap and wine. French falls were bands of lace or some thin material gathered to form a cascade and worn hanging from the neck. Almost any seventeenth or eighteenth century portrait of a gentleman shows them; today they would be called jabots. Among the abettors of Robinson were "Ellen the wife of . . . George Taylour spinster . . . & Mary the wife of . . . Robert Clerke spinster". The term *spinster* was applied to unmarried gentlewomen, and was sometimes retained by them after they were married, but these two women were under indictment for aiding and abetting burglary and theft. Lynes, upon his arraignment, plead not guilty, and the jury that tried him decided that he was "(not Guilty) nor that he did ffly for it." He was thereupon held to answer to the other indictment of perticipating in the theft charged against Ralph Robinson. Robinson and all the others plead not guilty. The witnesses against them were John Allen, the injured storekeeper and a youth named Peter Jacobsin. "Peter being a youth & not capable of an oath was not sworne", but Allen was sworn and gave his testimony, and the prisoners spoke on their own behalf. The jury said Robinson was "not guilty—whereupon the principall Robinson being acquitted the Jury were not asked as to the accessaryes".

When no one appeared to charge any other crimes against the prisoners, they stood at the bar upon their deliverance, but the Court refused to discharge them. "the Crime for w^{ch} they were Indicted by apparent circumstances Seemed to the Court to have been Really Comitted by them and that the Jury acquitted them only for want of some Evidence, that the said" persons must each give security in £10 each with two securities at £5 each, to appear at the Provincial Court to be held in April 1673, and that they be of good behaviour meantime. After that, nothing more is heard of them: the April, 1673, session came and went but unless it is included in the unspecified criminal cases on which the Court proceeded on April 9, 1673 (*post,* p. 91), the case was never settled finally. There was no grand jury at the April, 1673, session. The action of the Court in this exciting case is not easy to understand. They seem to have felt that if the lad, Peter Jacobsin, had been able to testify, Robinson would have been found guilty. But it was a universal principle of the English common law that no person could be put twice in jeopardy for the same offence. Yet the Court, in holding for another trial a man declared not guilty by the jury, and in thus setting aside a not-guilty verdict, was putting him in double jeopardy.

In the seventeenth century and even later, hog stealing was a serious and a frequent offense, and the laws against it became progressively more severe. The Act of 1650 provided for a penalty against the stealer of twice the value to the owner, 200 pounds of tobacco to the informer and 300 pounds to the Proprietary (*Archives,* I, 503-504). In 1662, it was provided that second offenders should be branded in the shoulder with an *H,* and every county court was to have the necessary irons (*ibid.,* 455). In 1666 the penalty was made barbaric in its severity. A hog stealer —and the law included therein almost anyone who killed even unmarked hogs on somebody else's land— upon conviction for the first offense had to stand in the pillory for four hours and then to have his ears cropped. He must also pay triple damages to the owner of the stolen hogs. For the second offense he —or she— would be branded in the forehead with an *H* and for a third offense he was judged a felon not entitled to claim benefit of clergy (*Archives,* II, p. 278). The law was indeed severe, and there are no instances, up to the end of 1675, where it was literally enforced. Justinian Gerard, charged on December 19, 1671, with killing and carrying away two hogs belonging to John Gouldsmith, had the first indictment quashed for insufficiency, but he had to give bond of £50 sterling to appear for trial at the next Provincial Court (*post,* p. 20). He did appear, and he was indicted again. When he came into court for trial, he asked for and had John Morecroft assigned him as counsel, and Morecroft was one of the leaders of the Provincial bar. He plead not guilty, and was declared not guilty by the jury, so on paying the necessary fees he was discharged (*ibid.,* p. 29). John Griffin, charged with stealing a hog from Thomas Wright, did not appear on February 11, 1672, when his case was called, so the recognizances which he and his securities had given were estreated or forfeited, and he and they were liable to be sued on them (*post,* p. 58). Griffin appears here no more. Richard Meekins of Dorchester County was presented by the grand jury on April 9, 1672 for killing some hogs and marking others. When on December 11, 1672, he came to trial, the jury found him not guilty and he was discharged upon paying his imprisonment fees, even though he had, in the meantime, had a further charge of stealing and leading away a cow placed against him (*ibid.,* pp. 38, 43, 44, 46, 49). He served on juries frequently after that.

James Neale, Jr., son of the founder of the prominent Neale family, had served on the jury that acquitted Justinian Gerard. Not long after that, he, with his father, was bound over to answer the same charge (*ibid.,* p. 44). He was indicted for stealing eight or ten hogs which he found in his own orchard, and his father was also indicted for stealing several hogs and for marking as his own several more that did not belong to him. Despite his plea of not guilty, the trial jury held him guilty, and the Court gave judgment against him as a first offender. Young Neale then made a subservient petition to Governor Calvert, who was also chief justice of the Court. "yo^{r} poore pet^{r} being . . . under the Just sentence of the Law procured by the unadvised Rashnes of his inconsiderate youth . . . unlesse your gracious goodnes and Redundant Mercy wherewith yo^{r} Excellency hath Ever been adorned . . . humbly beggs yo^{r} wonted Grace and mercy to be Extended to him . . . to be freed from that Ignominious punishm^{t}", and much more in the same strain. And his Excellency was graciously pleased to order that Neale's punishment be remitted upon his paying damages to those aggrieved and paying also the fees against him. "And the said James Neale Jun^{r} imediately in open Co^{rt} upon his Knees thanked his Exclly for such his Clemency & mercy and prayed for the Lord Proprietary" (*post,* p. 48). Young Neale at this time was about twenty-two years old. His father, who like him, asked for and got the assignment of John Morecroft as counsel, plead not guilty, and the jury declared him not guilty, so he was freed and, on paying his fees, he was discharged (*ibid.,* p. 48).

Joseph OKeene, Richard Shippey or Sheppey, Thomas Whyniard and Ann Norman, charged with hog stealing, were all acquitted by proclamation and discharged upon paying their fees. No one appeared to prosecute OKeene, Sheppey was given an *ignoramus,* and Whyniard and the Norman woman were acquitted by proclamation, with no other comment (*ibid.,* pp. 25, 32, 50).

The importance of the crime of hog stealing and the severity of the law against it made the allied crime of altering cattle marks equally punishable. Yet there were cases of that kind of altering. Joshua Guibert of Lukeland, Choptico Hundred, St. Mary's County was charged by John Blomfeild, clerk of the Court and attorney, with altering the marks of a steer, five heifers and four yearlings belonging to Blomfeild and marked with the mark of the late Dr. Luke Barbor, whose widow Blomfeild had married (*Archives,* V, p. 98). He had also taken a mare foal that belonged to Blomfeild himself. When the case came to trial, Guibert stood upon his traverse, and the Court, without giving any reason, ordered the presentment to be quashed, and Guibert was discharged (*post,* pp. 12-13). The same Richard Meekins who had already been charged with hog stealing, was also presented for altering the marks of other hogs. He chose a jury trial and was acquitted (*ibid.,* pp. 38, 49).

There was, in this period, one case of rape. On October 17, 1671, Humphry

Joanes of St. Mary's County was "bound over by Mr. Benjamin Salley for a Rape upon Mary Smith and for speaking words ag^{t} the Lord Proprietary" (*ibid.*, p. 12). Joanes and the witnesses against him appeared, and he was committed to the custody of the sheriff of St. Mary's County. Mr. Attorney General submitted an indictment against him, but when, later, the grand jury made return of the bill delivered them against Joanes, they had written on the backside of it *Ignoramus,* or no true bill, so the bill was thrown out.

But Humphry was not yet out of the woods. That same day, he and Hugh Mackmarrough were presented by the grand jury "for that they . . . the 26th of December last past at Lapworth in the county aforesaid did then and there utter certeine seditious speeches against his Lo^{pp} the Lord Propry, and the Governo^{r} of this Province, as by the Information of John Weare of the same County" (*post,* p. 15). He was bound over to appear at the December 19 session of the Court, and when, at that time, no one came to prosecute him, he was bound over to the next court and gave bond for £20 sterling, with two sureties. At the April 1672 court he appeared, and when again no one came to prosecute him, he was acquitted by proclamation (*ibid.*, pp. 21, 30). Hugh Mackmarrough does not appear again, nor does John Weare, the informer.

On October 23, 1671, James Lewis of St. Mary's County gave bond for £50 with the usual two securities, to appear at the December court and answer charges of uttering mutinous and seditious words against the Proprietary. In December he appeared and was committed to the St. Mary's County sheriff. When he was neither indicted nor presented, the Court continued him in the custody of the sheriff but admitted him to bail. He had to give a recognizance of £100 with three securities instead of the usual two. On October 1, 1672, "The Court being informed that the said Lewis . . . had severall times since broke the said Recognizance It is ordered that . . . [his securities] be sumoned . . . to show cause why the said Recognizance should not be Estreated." A few days later the grand jury presented him for having said, several times, that the Governor, the Chancellor and Col. William Calvert "were all Rouges & that y^{e} said said Coll was a Bastard . . . and many other Scandalous words". Lewis plead not guilty but the jury "upon their oathes doe say that they finde the said James Lewis guilty" as charged. "Whereupon it is redered by y^{e} Court that y^{e} said James Lewis receive imediately thirty nine Lashes on y^{e} bare back and that" he remain in the custody of the sheriff until he found securities for his good behavior who were acceptable to two justices of the Court (*post,* pp. 17, 21, 39). Presumably the sentence was carried out. Although Lewis had enough goods and chattels, lands and tenements to stand a recognizance of £100, he is nowhere described as a gentleman or even a planter, and it must be that he was neither, since lashes were given only to persons of the servant class (*Archives,* I, p. 184).

Mrs. Frances Roades (Rhoads, Rhodes, etc.), wife of Abraham, had been bound over to appear in court on February 11, 1672 "for scandalous words ag^{t} the Right hono^{ble} the Lord Proprietary" came into court "and the Co^{rt} upon Examination of the matter found that the s^{d} Abraham was in some pt guilty as well as his wife, and because their was no Grand Jury this Co^{rt}" (*post,* pp. 58-59) both were committed to the custody of the sheriff of St. Mary's until the next court. If, however they offered bail of which the court approved, they could go, and they did offer such bail. Rhoads also acknowledged a recognizance for £100 with two sureties, on condition that they would both appear at the next court, and that they would behave themselves until then. Frances appears no more in this record, but her husband served on juries, until April, 1674, at least.

There was one other case at this time in which the charge of uttering seditious words was made, but it never came to trial. Stephen Whitman, arrested on that charge, was admitted to bail of one person only, "whereby the said Whitman is now escaped & fled this Province & so hath Escaped Justice." (*post*, p. 36).

In November, 1675 there arose a case involving the alleged uttering of scandalous words against a sheriff. Here, however, the sheriff did not bring criminal action against the persons who had, he said, maligned him. Instead, he brought civil suit for damages to his reputation, alleging trespass on the case. For a discussion of the case and of the resulting decision, see page 607 *post*.

In a region as new as the Province of Maryland, there was bound to be a great lack of English coins, and a need for establishing the value of foreign coins. English coins were, of course, not foreign ones. As early as 1671, an act of Assembly was passed (*Archives* II, pp. 286-287) declaring the value of all those in common use and providing penalties for anyone refusing to take them at their legal rate. Richard Moy, of St. Mary's City, innholder, was presented by the grand jury on October 1, 1672, for refusing to take a Spanish piece of eight at its established value of 6s. sterling. When his case came to trial on December 10, 1672, his attorney, Richard Carvile, appeared for him, and succeeded in having the presentment quashed for its insufficiency "and so the said Moy went thereof without day." (*post*, pp. 38, 44). This case is one of the first in the Province in which a person accused of crime had an attorney.

The events centring around Capt. Thomas Jones of Somerset County provide much work for the Court and the attornies, and much color and excitement for the laymen. Of course, be it remembered, with a name like Thomas Jones, it is sometimes not easy to identify the individual with certainty. On October 1, 1672, it was ordered by the Court that Thomas Jones of Somerset "(being accused for severall thinges done beyond his Commission) should have subpena's for his witnesses." (*post*, p. 35). On April 20, 1672, Thomas Jones of St. Mary's County, merchant, had been commissioned sole Indian trader within the Province, and had also been given the right to seize anyone else attempting to trade (*Archives*, V, pp. 106-107). In June of that year he was commissioned captain of the military forces of the recently-created Worcester County (*ibid.*, pp. 110-111). That same summer, Jones, who was sheriff of Somerset County, too, was commissioned collector of Somerset, as his predecessor had been. He was to enter and clear all undecked vessels entering Somerset, and to take the necessary bonds (*ibid.*, 111-112). He was also one of the justices for Worcester County. Other men than the justices of the Provincial Court held a multiplicity of offices.

But Jones had not been unopposed in Worcester and Somerset, and when he appeared before the Court, he tried to accuse his accusers first. He offered the Governor and Council (who were, be it remembered, also the justices of the Court) "Articles of Complaint . . . ag^{t} Henry Smith one of his Lordships Justices of peace for Som^{r}set & also Worcester Countyes". Smith, who had been justice for Somerset and a member of the quorum since February 9, 1669/70 (*Archives,* V, 61) was said to have "obstinately & Contemptuously Kept an unlicensed Ordinary" for two years or more. He had also, having arrested one Stephen Whitman for speaking seditious words, kept him so carelessly that he had escaped and fled the Province. He had for two months kept a runaway servant working for him, instead of returning him to his Virginia master. He had openly declared that he would not obey the military, and so had encouraged desertion from the military forces. Surveyor Francis Jenkins of Worcester County, being ordered to lay out a town at the Whore Kill, had refused to follow the orders of the county commissioners, and had, instead, surveyed for Smith six hundred acres where the town should have been. But the Court returned to Jones' information an *ignoramus* or no true bill.

In their turn, Smith and Jenkins, who were members of the grand jury (*post,* p. 34) brought charges against Jones, charges on which the grand jury returned a true bill. Jones, with six or seven men, had gone up to the Whore Kill and had tied up all the Dutchmen he found there. He then opened their chests, took several furs and blankets and drank their aniseed water. On August 22, 1672, Jones had brought into the guard "Deere skins Wampum Peake Blankets Trading cloth powder pipes Knives looking glasses with severall ffurs . . . to the vallue of sixty pounds sterling". The day before this, Jones rode up to Robert Catlin, drew his sword, called Catlin scurrilous names and ran his sword through Catlin's clothing to his skin, all because he had accidentally taken Jones a little out of their way. When someone complained to Smith that Jones had taken and not returned a pound of gunpowder from an Englishman, Jones called Smith a liar, and refused to show him his commission as Indian trader. Smith charged also that, on August 24, 1672, Jones had ordered Constable Daniel Browne to seize "two of my Mares with severall others Notwithstanding they had been there as by information at least two yeares" (*post,* p. 38). If these mares seized from Smith were the same as those Jones told the Court he had seized at the Whore Kill in August, it would be easy to understand Smith's feeling about Jones. Smith was, himself, something of a hothead. While he was a member of the grand jury, he called Raymond Staplefort, foreman of a later grand jury, a hog stealer, and for this abuse he was fined by the Court four hundred pounds of tobacco (*ibid.,* p. 45). Jones, being sheriff of Somerset, had refused to attend the county court, and had refused to execute an order that court had directed to him (*ibid.,* pp. 37-38). A choleric fellow, that Thomas Jones.

Upon the finding of the true bill against Jones, the Provincial Court ordered that a copy of the amended information be sent him, and that he plead to it. The next day, October 7, 1672, Jones reported to the Attorney General that he had, by virtue of his commission as sole Indian trader, seized "severall ffurrs and other truck" at the Whore Kill, and he added a list of the seized goods. Among the furs were otter, beaver, mink, wolf, coon, muskrat, and deer skins. Among the other truck were matchcoats and matchcoat cloth, a pewter pipe, some quills, some glasses, trading knives, jew's harps, bundles of peake both black and white, and a pound of red lead.

Jones said also that he had seized the sloop of Richard Ackworth: he said Ackworth had confessed leaving the Province without permission (*post,* p. 41). But the humble petition of Richard Ackworth of Somerset County, planter, told a different story. Jones, he said, had come to his house while he was away, had asked and received some cider from Ackworth's wife, and had stayed there all day drinking, all day and all night. Next morning, before anyone else was about, Jones ransacked and took and carried away forty odd dressed deer skins, a hundred and eighty muskrat skins and twenty muskrat matchcoats. These things he put aboard Ackworth's sloop, which he sailed away to Randall Revell's landing, without telling any of Ackworth's household why he seized the goods and the vessel (*ibid.,* p. 41).

That same day, October 7, 1672, Jones exhibited to the Court an information against Peter Hance, a Dutchman, owner of the six mares which Jones had seized at the Whore Kill, in Worcester County. They had been taken by virtue of an act of Assembly against the importation of horses and mares into the Province (*Archives,* II, pp. 281, 334), and Jones prayed that they be condemned and awarded half to the Proprietary and half to him as informer. Hereupon the Court ordered that Hance appear at the next or December court to answer the charges. Jones referred to Hance as Peter, both in his information to the Attorney General (*post,* p. 36), and now here to the Court in session (*ibid.,* p. 42), but the Court, in ordering Hance to answer, spoke of "the said John Hance". Such variety in the use of names is not unheard of: certainly Jones and the Court were talking about the same man. Subpoenas were issued to Henry Smith and four or five other men to testify against Jones, and a *venire facias* was issued to the coroner of Somerset to have Jones himself come and testify. Since Jones was sheriff of the county, any writ against him had to be directed to the coroner.

The cases of the Lord Proprietary against Thomas Jones all came to trial on December 10, 1672, as the Court had ordered in October. John Morecroft appeared for Captain Jones and "was by the favour of the Court here admitted." (*post,* p. 44). Only five of the justices were sitting, the Governor, Chancellor Philip Calvert, and Baker Brooke, Edward ffitzherbert and Jesse Wharton. Jones answered the "Rude and undigested Page" of crimes and misdemeanors which Smith and Jenkins had charged against him, in part by a demurrer, though he did not use the word. He had done the things, but by virtue of his trader's commission he had had a right to do them. He had, as charged, seized and bound all the Dutchmen he found at the Whore Kill, but with reason. When he sent his agent, Daniel Browne, up there, the Dutch had taken Browne and sent him away to New York; and Jones arrested them until he found out which one was responsible for carrying Browne away. As soon as he learned this, he released all but the guilty man, and even him he released when a letter came down from New York (*ibid.,* p. 52). As to the charge that he had treated old Robert Catlin uncivilly, that he denied entirely. To that part of the information charging that he had seized two mares belonging to Henry Smith, he —or Morecroft for him— replied that it was so full of uncertainties that he ought not to be asked to answer for it. He asked the Court to dismiss him with costs and charges, but the Attorney General alleged that he was guilty, and both put themselves upon the judgment of the Court. "And after a ffull hearing of the businesse this day . . . And the said Thomas Jones Com̄iss^{n} . . . for the sole Indian Trade of this Province, being openly Read His Lord^{pps} Justices are all Clearly sattisfied that the said Thomas Jones hath Exceeded the Limmitts of his Com̄iss^{n} . . . And therefors the Court Doe order the said Com̄^{issn} to be Imediately Cancelled & Vaccated, which was in open Court done by tearing off the seale". The Court further ordered Jones to satisfy Cornellison, Otho Wollegast and Groendick for the goods he had taken and to pay their costs (*ibid.,* 55).

The matter of the seizure of Richard Ackworth's goods and his sloop was handled by a Court order on Ackworth's petition. The goods and the sloop were to be restored to their owner, but in future he should not go out of the Province with the sloop until he had cleared with the collector for his county (*ibid.,* p. 56).

The case involving the six mares said to have been imported into the Province and seized on that ground by Jones, like the other two cases, was heard and decided on December 10, 1672. Peter Hance appeared by Kenelm Cheseldyn, his attorney, by special grace of the Court, and said that he "he is in noe wise Guilty of the premisses against the forme of the statute aboue Imposed upon him" as Jones had charged, and both men put themselves upon the country (*ibid.,* p. 57). Accordingly, a jury was summoned, and both parties appeared, Hance by his attorney, Jones in his proper person. The jury decided that Hance had in fact brought the mares to the Whore Kill, from whence they did not say. "And the Court being ffully sattisfied that the Whorekeil was not at that tyme in the Actuall posession of the Right Hon^{ble} the Lord Proprietary, Therefore they doe Adjudge that the said Mares are not forfeited, and Doe Order them to be Released, And the said Thomas in mercy for his falce Complaint &c" (*ibid.*).

But Jones, if quick-tempered and not judicious, was energetic, and the Provincial government needed him. Very shortly after he had been turned down by the Court on all three points, on December 14, 1672, he was appointed an Indian trader for the Eastern Shore (*Archives,* V, p. 114). His commission was only a small part of what it had been. He had been the Indian trader for the whole Province, with the right to stop all others from trading. Now he was one of the traders for the Eastern Shore, and he could not halt intruders. He could not and someone else could. Two days after Jones's new license, another commission was given to Peter Groenendyck, to whom Jones had been ordered to make satisfaction for goods he had taken from him in the August raids. Groenendyck was authorized to trade with Indians and others in the lower Eastern Shore counties of Somerset, Dorchester and Worcester, and to seize unlicensed traders (*ibid.*, 115). And Herman Cornellison, the other man to whom Jones had to make satisfaction, was on that same December 16, 1672, authorized to trade on the lower Eastern Shore, and to stop those not authorized. Cornellison's commission was limited to a year and no longer; the other two were not limited as to time. Two days later, December 18, 1672, Henry Smith, proponent of the charges against Jones, who had told the Council that the wanted to be relieved of his duties as justice of the peace for Somerset and Worcester because they took too much of his time, was, in compliance with his request, ordered to cease acting as justice of the peace (*ibid.*, p. 117). Whether this was in fact the resignation it was in appearance, is not certain: perhaps the Council-justices thought all these hot-headed Eastern Shoremen needed to be calmed down. At any rate they appear no more in these records of the Provincial Court.

IMPORTANT CIVIL CASES

In the three years devoted to civil cases at this time, there were almost or quite sixteen hundred cases that came up. Even deducting those in which little or nothing is said beyond "Continued untill the next Provincial Court (and there are pages on pages of these), or in which there is one mention of a case and only one, there are several hundred in which the minutes of the clerk preserve at least something to interest the modern lawyer or the student of social conditions. Every case that came onto the docket is entered here in the Table of Cases at the end of the volume, by plaintiff and by defendant, and the subject matter of each is entered in the index. Perhaps a few of them deserve comment here. Of the cases in which it is indicated what the charge or the plea was, the vast majority concerned some form of debt. There were a few cases of ejectment, a few of breach of contract, several arising out of events that would seem to have justified criminal prosecution also. There were two cases that began as criminal (*post*, pp. 32, 158), and, without having been decided as such, appear later as civil suits for damages. But there were a hundred and fifty cases in which the plaintiff claimed that the defendant owed him sterling or tobacco and unjustly detained it.

Many land matters appear in this part of the records of the Provincial Court, and cases connected with land appear frequently on the docket. At this time, there were five steps in the acquisition of a piece of land from the Proprietary. Anyone coming into the Province to live was entitled to a certain number of acres of land for himself and for each person whom he brought in. The number varied with the conditions of plantation in force at the time of his arrival. After the rights had been proved to the satisfaction of the proper official, the immigrant received a warrant for the number of acres due him. The county surveyor, deputy of the surveyor general, next surveyed the land, and returned a certificate for it to the Secretary's office to be recorded. The next step, and the last needed to perfect the title in the grantee, was the obtaining of a patent.

Several cases in the Court arose out of trouble over one or the other steps in the process of obtaining land. Thomas Kerey, who claimed three hundred acres for transporting himself and others into Maryland, said that he had proved his rights and had had a warrant for the acreage, but that no certificate had been filed by the county surveyor. He petitioned the Court for a certificate and a patent. George Johnson, the surveyor, said that he had certainly returned the certificate to the secretary's office, but that he had spelled Kerey's name as Carey. As well he might! The records were searched, and a certificate for three hundred acres was found under the name of "Charges Adventure" surveyed for Thomas Carey. The Court was satisfied that it was only a mistake, and ordered that a patent for the land issue accordingly. But the Court, like the surveyor, spelled the grantee's name as Carey (*post,* p. 60). In another case, the patent when it was issued said two hundred perches when the certificate had said four hundred. The Court looked into the matter and, having been convinced that it was an error of the clerk, ordered the faulty patent cancelled and another issued according to the certificate (*ibid.,* p. 137). In another case the deputy surveyor for Anne Arundel County left one line of the land completely out of the certificate he made out for Thomas Prat, and, when he confessed this, the Court granted Prat's petition and ordered that he have a patent according to the corrected certificate (*ibid.,* p. 179). In both of these cases the Court was exercising equity functions.

Getting a patent from the Proprietary was sometimes neglected as long as the owner could. With the patent, began the quit rents due the Proprietary, and the grantee saw no reason to pay them until he must. Sometimes he was caught up with and his land taken from him. Samuel Withers of Anne Arundel County, gentleman, had had surveyed for him two hundred acres of land in Talbot County. Yet he had not sued forth a patent within the time set in the Conditions of Plantation, so that "the said Two hundred acres of land is become Escheated to the Right hon^{ble} the Lord Proprietary", and the sheriff of Talbot was ordered to seize it. The record shows that Sheriff Tully did as he was commanded to do (*ibid.,* p. 96). Nor does it appear that Withers managed to get the land back, though he continued to live in Talbot and to hold positions of trust.

Since all the land in the Province belonged to the Proprietary until he granted it to someone else, it followed that he had the right to reserve for himself any land in the Province not already granted. Usually he did this when he was not yet ready to have it opened for settlement. On April 15, 1674, for instance, the Captain General and Governor, Charles Calvert, delivered up the patents for four pieces of land, "The said severall parcells of Land being reserved for his Lop̄ps use" (*post,* p. 271). And a year later, on May 6, 1675, an undetermined quantity of Anne Arundel County land adjoining that recently surveyed for the Governor was "reserved for his Lop̄ps use. (*ibid.,* p. 584). This was only about six months before Cecilius, first Proprietary, died, and his son, Governor Charles Calvert succeeded him as Proprietary.

The great majority of the land cases considered in these proceedings, it scarcely needs to be said, concerned two private parties, that is, they did not arise out of grants, though, of course, all of them ran back to that source. Many land matters are entered here because a separate record for land did not begin to be kept until 1679. Although land transfers were often recorded, it was not imperative that they be, and many were noted only by an assignment on the backside of the original indenture. Of the land cases on the docket, most were ejectment to try title, or trespass and ejectment. Richard Rawlins brought an action of ejectment against Robert Parnepley. Parnepley had entered onto a piece of land which Rawlins had leased from Henry Peirpont, had cut down timber, and had ejected Rawlins from the land. Hubbert Lambert, the tenant in possession, was notified that unless he or the person from whom he claimed appeared and made themselves defendants in Rawlins's suit, confessed the lease, entry and ejectment and insisted only on the title, the defendant in the declaration would confess judgment and the plaintiff, Rawlins, would be restored to possession. When, on May 8, 1675, the case came up for decision, Lambert did not appear, either in person or by attorney, although John Carpenter of Anne Arundel swore before one of the justices of the Court that he had served him with proper notice. Thereupon, Peirpont, the person who had leased the land to Rawlins, prayed and got a writ of *habere facias possessionem,* and 590 pounds of tobacco for costs as well (*post,* 583-584).

Besides this case of Rawlins *v.* Parnepley, several other cases of trespass and ejectment turned upon the admission of defendants to take the places of casual ejectors. The case that began as Francis Holland *v.* Hugh Connell (*post,* 79-81) became Francis Holland *v.* Henry Beedle *et ux.* (*ibid.,* pp. 107, 151-153), when Connell, the casual ejector, was replaced by Henry Beedle and Sophia his wife, from whom Connell held. The case was tried before a jury, which came quickly to agreement on a verdict. But when Holland was called to appear and hear the verdict, he did not come, and a nonsuit was awarded against him. The Beedles even recovered their costs against him.

The case that began as Edmund Lister *v.* Thomas Momford (*post,* pp. 77, 102, 162-163) became first Lister *v.* Philip Shapleigh (*ibid.,* p. 203) and ended up as Edward Williams v. Philip Shapleigh (*ibid.,* pp. 235, 287). When, after two continuances, the case came to trial, Philip Shapleigh was admitted defendant, to acknowledge demise, ejectment and expulsion or suffer judgment by default. Before that trial, Lister died and Edward Williams took his place as plaintiff. The case of Williams *v.* Shapleigh came to trial in May 1674, but the new plaintiff did not appear to prosecute, and the Court ordered a nonsuit against him, with costs and charges to Shapleigh.

In the case of John Shanks *v.* John Blackiston (*post,* pp. 180-181), Blackiston had ejected Shanks from Langworth Point and "Thomas Donnes Neck", which Nehemiah and Elizabeth Blackiston had demised to him. John Blackiston acknowledged the service of the declaration, and, by permission of the Court, with the assent of both attorneys, Edward Connery was admitted defendant in his place. Connery was ordered to pay the plaintiff's costs, and Nehemiah and Elizabeth Blackiston, the lessor plaintiffs were ordered to pay those of the defendant. At that point the Court adjourned, and when it reconvened on February 10, 1673/4, John Shanks, who had been ejected from the land in question by Connery's John Blackiston, had become himself the casual ejector (*ibid.,* p. 218). On that day the Court ordered that the deputy surveyor for Calvert County lay out the lands of Nehemiah Blackiston and Edward Connery according to their deeds from Thomas Gerard, in the presence of the sheriff of St. Mary's and of a jury summoned to attend the survey. The case came to trial on October 15, 1674. The jury to view the land and the surveying of it said that Nehemiah Blackiston's bounds set by his lease from Gerard were the same as those Robert Cooper had had before him, and that they existed before and at the time that Connery's lease, also from Gerard, was made. Now, when Blackiston and Connery appeared by their attornies, the jury found for the plaintiff, Nehemiah Blackiston, and the Court awarded him his costs and charges against Connery (*ibid.,* pp. 317-318).

Connery had lost to Blackiston, but he was not yet done fighting. Within a month or so of that decision, he brought suit against John and Rose Gerard, executors of the late Thomas Gerard, of St. Clement's Manor. Thomas had sold him the land from which he had been dispossessed and had covenanted to warrant the sale to him. This neither Thomas Gerard nor his executors had done, so Connery sued them for 40,000 pounds of tobacco (*post,* p. 491). They claimed that they had paid out more than the value of the estate, and both parties put themselves upon the country. When the case came up, on February 15, 1675, John and Rose came not, and Connery was awarded judgment by default, with a writ of inquiry of damages returnable next court. The jury, on May 7, 1675, awarded him 25,000 pounds of tobacco damages and 2434 pounds costs (*ibid.,* p. 553).

Before the case of Thomas Gibson *v.* Arthur Turner came to trial, Gibson filed a new declaration making James Neale and his wife defendants. A special warrant was ordered for a resurvey of the land in question (*post,* pp. 299, 464). Unless the lease, entry and ejectment were confessed, leaving only the title to be decided, the defendant, Turner, would confess judgment, and the plaintiff, Gibson, would get possession (*ibid.,* p. 464). Neale, the new defendant, and Gibson, both put themselves upon the country, and each was ordered to pay the other's costs and charges. On October 16, 1674, the Court said that the action of ejectment was really taken in order to try title to a piece of land in dispute between William Russell from whom Gibson had leased, on the one hand, and James and Anna Neale on the other. Therefore they ordered a survey to be made by the surveyor general or his deputy, in the presence of the Charles County sheriff and of a jury of the neighborhood, and according to their directions. Sheriff Rozer did as he was directed, and the survey was made. When the Neales said they had had no notice of the resurvey, another with the same jury was made, with the same result. The jury on the land declared that "the land now in question . . . now in the possession of Margaret Lovett . . . by Virtue of a lease from the said James Neale . . . to be and lye within the meets and bounds of the Land belonging to William Russell" (*ibid.,* 468). And yet, when, on February 11, 1674/5, the case came into court for decision the trial jury, sworn to say the truth "upon their Oathes doe say That they find for Cap^{t} James Neale defendant" (*ibid.,* p. 469). The Court looked at the decision and deliberated on it at length. Then they granted that the Neales be acquitted and that they recover against Russell 4668 pounds of tobacco for their costs and charges. Russell was committed to the custody of the sheriff, but on May 4, 1675 he could not be found. Thereupon the Neales asked for and got an *elegit* against any land or goods or chattells Russell might have (*ibid.*, p. 581).

The historian must think that the clerk (who is often grossly careless), has left out a line or even two lines from the record on folio 460, which is page 469 *post*. The Court hears the jury verdict and deliberates maturely and diligently, "because it Seemeth to the Court here by the Evidence of the ancient Inhabitants . . . here at the barre upon their Oathes Viva Voce given and also by the Verdict of the jury aforesaid here at the barr delivered up". The record in no way indicates what it was that seemeth to the Court: the end of the sentence just is not there. Could it have been that they thought the verdict of the trial jury was against the evidence?

The case of Thomas Gerard *v.* John and Rose Gerard involved, as had that of Edward Connery *v.* John and Rose Gerard, a suit over the failure to keep a covenant. On January 9, 1671/2, Thomas the younger bought from his father the four-hundred acre manor of Westwood, and another four-hundred acre tract called the Meadowes. For that land he was to pay to Marmaduke Snow, who was his uncle, the 6000 pounds of tobacco which his father, Thomas Gerard the elder, had agreed to pay Snow as the price of a release of claims against St. Clement's lands (*Archives,* LVII, p. 89). The indenture specified, as most indentures did, that the seller, Thomas the elder, was to warrant the land to the buyer, Thomas, the younger. Within less than a year, the younger man was dispossessed from the Meadowes by Robert and Joshua Doyne, and Thomas asked his father to make good on the warrant. The father refused and his executors, John and Rose Gerard, had refused and had continued to refuse. Accordingly, on February 16, 1674/5, Thomas Jr. brought his action for 60,000 pounds of tobacco damages (*post,* p. 488). He was represented by Robert Carvile, the executors by Vincent Lowe, the attorney general of the Province in his private capacity. Lowe said the executors had already paid out more than the personal estate would amount to, the plaintiff said they had not done so, and both sides put themselves upon the country. The jury in due course found for the plaintiff in the amount of 35,000 pounds of tobacco damages and 2008 pounds costs and charges (*ibid.,* p. 489). The sheriff of St. Mary's was ordered to make, that is, to collect, from the executors, but he reported, on May 4, 1675, that he could find only 1400 pounds. Hereupon Thomas asked for and got an *elegit* for the remainder (*ibid.,* p. 573). Edward Connery, who had sued these same executors for the same thing, their failure to warrant land, on May 7, 1675 recovered a verdict of 25,000 pounds of tobacco damages and 2434 for costs. Clearly John and Rose Gerard were having a hard time.

SERVANTS

Of cases involving servants, the majority came up and were settled in the county courts. Records of county courts already published in the *Archives of*

Maryland show this (volumes LIII and LIV). But many also came up in the Provincial Court, though the amount involved was often exceedingly small. Most of the indentured, or indented, servants came from the British Isles, if their names and their stories are proof. Several cases presented in this record arose from an indented servant's petition to the Court for his or her freedom. Always they were presented by way of petition, for servants had not the capacity to present them at law (*post,* p. 279). Christopher Batson told the Court that he had apprenticed himself to Abell Londgen, to serve him four years and be taught the art of navigation. Londgen, contrary to the indenture, had sold his servant's time to John Stevens, and Stevens refused to set him free, though he had served the time agreed on. The Court "Adjudge the said Christopher Batson to be set free" (*ibid,* p. 95). But Stevens or Stephens still refused to free Batson, so that now Batson, free by the decision of the Court, sued him for 4000 pounds of tobacco in a plea of trespass upon the case. Stevens had kept him eight months after his time was served, and had refused to give him "his freedom Corne and Cloathes," that is, three barrels of corn, a suit of clothes a pair of shoes and stockings and a shirt. Of tools there were due him two hoes and an axe. Stevens denied that Batson was properly free, but the jury found for the plaintiff. Therefore the Court ordered that Batson recover from his former master his clothes and his tools in kind, 450 pounds of tobacco for the corn, and 920 pounds for his costs and charges (*ibid.,* p. 511).

When Elizabeth Hiccoks asked to be free from Edward Skydmore, she showed the Court a certificate from an English office "for Enrolling consents of servants in England & th[eir] agreem^ts^ with their Masters und^r^ the seale of the said office" which showed that she was to serve but four years. The Court went fully into the matter, said she was free, and ordered her master to pay her her corn and clothes accordingly. Elizabeth Thompson also asked to be freed from a master who ignored the fact that she had finished serving her time, and when her master's wife could show nothing to the contrary, she, too, was freed and was to have her corn and clothes (*ibid.,* p. 179). Henry Everitt, being twenty-one years old, and having already served his master George Beckwith, for eight years, asked the Court to say how long he must serve for six weeks he had failed to serve. The Court ordered that he serve according to the act in force when he arrived in the Province. Since the act of 1666 required ten days of service for every day of absence, and required also that a servant under fifteen —and some were under ten— must serve at least until he was twenty-two (*Archives,* II, 524), that meant that Henry had to serve sixty weeks for six, or a year and two months after he became twenty-two. Why the Court did not give a more explicit verdict does not appear. Henry Everitt appears no more in this record.

As to the corn and clothes, that was a matter of law. An act of Assembly of 1638/9 (*Archives,* I, p. 80) declared that a servant at the expiration of his time was to be given by his master, three barrels of corn, two hoes, an axe and some clothing. A man servant got a cloth suit, a shirt, shoes and stockings and a cap, all of them new. Women got a pettycoat, a waistcoat, a smock, shoes and stockings, and all the old clothes she had. The earliest of these laws gave the servant as well fifty acres of land, five of it plantable (*ibid.*, p. 97), but this was repealed in 1663, because the master got only fifty acres for bringing the servant in, and to give him fifty acres would take away all the master's permanent gain. (*ibid.*, p. 496). Of course the master could give the servant more than the set minimum, and if the servant had an especially desirable trade, the master probably did so agree.

Isabella Goodale, or Elizabeth Gibbs, or Elizabeth Goodale, laid before the Court a complaint about the time to be served by her young son. There can be no manner of doubt that only one woman is being spoken of, yet three different names are used for her and no explanation is offered. She and the child had been brought to Virginia by John Quigley in 1668/9, and there she and the child had been sold to Captain James Neale. They were spoken of in the bill of sale as "One woman servant by name Elizabeth Gibbs and her sonn Gilbert Goodale . . . for the full terme and time of the Custome of Virginia to Say from the time of their Arrivall". Six months later the Westmoreland County court sat to make inspection of their ages, as was required for servants not coming in under indenture. The child was judged to be five years old, and was ordered to serve nineteen years, and his mother Elizabeth Gibbs, who was under indenture, was to serve five years. John Quigley had, in February 1668/9, sold the child for the full term and time allowed by Virginia law: now, on January 13, 1674/5, in Maryland, he made a signed statement that six years or so ago he had disposed of Elizabeth Goodale for five years from her arrival, and that she had "had with her a man child about five yeares of age which she said was her Sonn which I did no wayes putt of for any terme of time but to be free and cleere as Soon as his Mother". Had Quigley sold the time of the son, as Neale and the Virginia court said, or had he not? The Provincial Court read all the papers and heard all the witnesses, and on February 13, 1674/5, ordered that the boy be free and discharged from Neale's service. The Maryland court respected the decision of the Virginia court enough to order Quigley to pay Neale 2000 pounds of tobacco for the time the other court had ordered the child to serve (*post*, pp. 475-476).

In several cases, the transportation of servants plays a big part. George Wells received by the *Baltamore*, Capt. John Dunch, goods to the value of £500 or more, and also seven servants. The servants did not appear on the bill of lading, but Capt. Dunch signed a receipt for taking them on board, and he thought that the person to whom he delivered them gave him a receipt in his turn (*post*, pp. 145-150. In the case of Henry Spry *v.* Hugh ffrench, Spry had delivered a man servant for 1600 pounds of tobacco, and a hogshead of molasses (Malossus must be molasses) to a total of 2400 pounds of tobacco, which Spry said French had not paid. When, on November 12, 1673, the case came up, plaintiff Spry admitted that he had had and lost a bill which defendant French had given him, so he had been forced to sue on an *assumpsit*, the only plea on which he could sue in the absence of a written and sealed contract. The Court examined the premises, and awarded Spry what he claimed, but it ordered him to pay the jurors, summoned and sworn but not used, ten pounds of tobacco apiece, and dismissed both parties (*ibid.*, pp. 153-154).

The case of William Hide *v.* William Nicholls shows that, even when a man had his transportation paid by someone else, he might well bring in a quantity of goods. Nicholls said he had brought in Hide and another man and three women and several parcels of goods, and he got the Court to order Hide to pay for his passage and go free. Hide and the other man could not agree on the division of the goods, so they left it to an umpire, Charles Boteler. When the goods were replevyed from Nicholls, who had taken them as security for the payment of the passage money, they were listed by the sheriff: two swords, two hogsheads, one chest, one trunk, a small cask, a featherbed and a blanket. Considering the small quantity of goods sometimes left to be divided by a will, this is a large store. The umpire gave Hide a hogshead, a hamper of bottles, two swords, a featherbed bolster and a quilt (*ibid.,* 586-588).

George Cooley gave bond to John Ingram to deliver him "two able men servants between the ages of twenty and thirty, and failed either to deliver the men or to pay the 6000 pounds of tobacco according to the bond. Since the bond was for a sum twice the amount of the obligation, two men servants must have been worth 1500 pounds of tobacco apiece (*post,* 237-238). Mark Cordea, late of St. Mary's County, mayor of St. Mary's City, and planter (*ibid.,* pp. 281, 443) was sued by James Nuthall to "render unto him One Negro man betweene the age of fifteen & twenty yeares of Sound and perfect limbs and body which to him he oweth and unjustly deteineth". When the case came to trial, the defendant came not but made default, and the Court decreed that Ingram "recover against the said Marke the negro man as aforesaid as also" 840 pounds of tobacco for costs (*ibid.,* 244-245). In a similar case, Ralph Dawson *v.* James Clayland, Dawson recovered, not the manservant he had covenanted for, but 3400 pounds of tobacco debt and 556 pounds more for costs (*ibid.,* pp. 459-460). Two or three other cases came up, in which, like Dawson *v.* Clayland, the plaintiff recovered, not the servants contracted for, but the value they would have had (*ibid.,* pp. 461, 579, 598-599).

Servants, indented or merely transported, could be treated like merchandise, and, as has just been shown, they often were so treated. At this time, however, there seems to have been little of the revolting cruelty that figures in the older records. Captain Thomas Bradnox, whose inveterate malice toward his servant women appears in previous volumes of the *Archives* (volumes XLI, pp. 500 ff.; LIV, *passim*), died late in 1661. There is only one case of the mistreatment of a servant, and oddly enough, it is not certain whether the servant was a man or a women. Marmaduke Semmes had been bound over for abusing and misusing his servant Vertu Avery, but, after the witnesses had all been examined the Court discharged him on payment of his fees (*ibid.,* p. 49).

Nor is there much trouble with runaway servants, though, of course the laws were still in force. As there were penalties against the runaways, so there were other and harder penalties against any persons who aided them. Servants might be sentenced to serve additional time, up to ten times the number of days absent (*Archives,* II, p. 524), or they might be whipped on their bare backs, even if they were women. Free persons who persuaded servants to run away or "entertained" them were subject to both civil and criminal action.

The rumored cruelty of masters, sometimes confirmed by the courts, inclined people to sympathize with runaways, even when allowance is made for the admittedly low quality of those who ran. At this time there were not more than a handful of such cases. George Beckwith, who appeared in court on December 10, 1672, with his servant John Owen, and made oath that the man had absented himself for fifty days, asked the benefit of the act of Assembly. "and the Court Computing the time, ordered the said John Owen to serve the said George Beckwith faithfully untill the last of January next & then to be free." (*post,* p. 50). It is assumed that "January next" meant January 1672/3, so that Owen had to serve only day for day. On the other hand, two other "servants unto David Driver, being brought by their said Master into Court, and he fully making it appeare to the Court that they had Runnaway from him thirty six days apeice, It is by the Court ordered that they serve their said Master one yeare a peice" (*ibid.,* p. 92). This figures out to almost exactly ten days for one. In another case, a runaway, being caught, was ordered to serve seven months, though there is no word on how long he had absconded himself (*ibid.,* p. 179). One man who was charged with permitting servants to pass without their master's permission, was ordered to pay 6/8, and on paying it, he was discharged (*ibid.,* pp. 39, 44). One Thomas Chew, lawful servant to John Atkey, departed his service, and, after seven months, came into the hands of William Boyden. When Atkey sued Boyden for 8000 pounds of tobacco, the jury found for the defendant and awarded him 997 pounds for his costs. Though this decision said nothing about the servant, it is presumed that he went free (*ibid.,* pp. 63-65).

One of the few crimes committed by servants was the murder of John Hawkins by his servants, already referred to (*ante,* p. xviii). Because the men were servants of the man they killed, the case was petty treason instead of murder. Three women, presumably servants though not so described, were charged with having bastards and killing them: of the three, one was ordered to be hanged and presumably was hanged; one was acquitted by the court without a jury, and one was declared by a jury to be not guilty (*post,* 9, 20, 33). One woman, Amy Markes, was presented by the grand jury for having a bastard which apparently she did not kill. The mere having a bastard was a crime, and the penalty for it, when the father was not disclosed, was additional servitude for the mother to recompense her master for the trouble she had put him to (*Archives,* I, 441-442). Amy Markes was presented on the strength of an informer's testimony, but when she came to trial, no one appeared against her and she was acquitted by proclamation (*ibid.,* 30). There were at this time no suits for damages brought by the master of a woman servant against the father of the bastard.

The case involving Robert Harper shows that now and then there was a servant much above the type fit only to work in the tobacco field. Harper was a servant of Garrett Vansweringen "& Skilfull in administring phisick and prosesseing the same" (*post,* p. 528) Roger Shehee "being Sick & languishing of various and divers distempers of body" arranged with Vansweringen to have the physician-servant treat him, and he promised to pay the master "what for the same [treatment] the said Garret should deserve". Garret said he deserved at least 520 pounds of tobacco, but neither Shehee nor his executors would pay it. So he sued the executors for 900 pounds of tobacco. Both sides put themselves upon the judgment of the Court, and the Court upheld Vansweringen completely. He was awarded his 520 pounds and also 996 pounds, which was more than he had asked, for costs and charges (*ibid.,* pp. 528-529). In another exactly similar case, Vansweringen sued the litigious John Quigley on account of the services of the same Robert Harper, chirurgeon. Quigley, "being Sick and languishing under a grevious distemper called the gripping of the Gutts", agreed to pay Harper's master "asmuch as the paines and Skill of the said Robert and the medicines and remedyes expended" were worth. Harper attended Quigley from July 4 to November 27, 1674, and he cured him. Vansweringen thought Harper's skill and his time and the medicines and remedies he had used were worth 5335 pounds of tobacco, but Quigley refused to pay. Therefore Vansweringen sued him for 10,000 pounds, and produced a sworn and itemized account of Harper's work. The jury gave him 3335 pounds, with an undetermined amount for his costs (*ibid.,* pp. 545-547).

DOCTORS AND MEDICINE

The record of these years has relatively little about doctors and diseases. There are six or seven men mentioned as chirurgeons, and one man, Edward Maddock, of Charles County, is called doctor. In most cases, however, the title is by way of identification only: the chirurgeons are witnessing papers, or acting as someone's security, or defending themselves in actions of debt, or receiving from the Proprietary a grant of land, exactly as if they were not physicians at all. Nor is there much herein about diseases or sick people, even about sick servants, who have in times past figured so large. Three or four men arranged with someone, sometimes an innholder, to receive them and care for them in their illnesses, but all of them died without paying what they had promised, and those who had taken care of them had to sue their estates. Ambrose Biggs sued the estate of Thomas Sunderbee for 7,000 pounds of tobacco for that kind of care and produced in court an itemized account. But the Court awarded him only 1650 pounds, plus an unstated amount for costs (*ibid.,* pp. 91-92). Richard Keene, Calvert County, innholder, received and cared for William Ditton, merchant, for more than a year. Keene thought he deserved 2000 pounds of tobacco, but he could not collect it. Accordingly, he sued, and, when Thomas Dent, the administrator, said nothing in bar or avoidance of the claim, the Court awarded Keene the 2000 pounds damages he asked, and 512 pounds more for costs (*ibid.,* pp. 548-549). Joseph Pearse did "earnestly desire and importune . . . [Thomas Hussey] to permitt him to come and lodge at the Said Thomas house there to have his accomodation and to be attenede in his sicknesse" (*ibid.,* pp. 635). Hussey agreed, and Pearse stayed with him from July 16, 1664, to the 28th of the following September, and there he died. Hussey asked 3350 pounds of tobacco besides 1200 pounds for funeral expences. He submitted an itemized account for a total of

4700 pounds of tobacco and sued the administrator for 7000 pounds. When, on November 20, 1675, the case came to trial, and Pearse's administrator, like Ditton's, said nothing in bar or avoidance, the Court awarded Hussey 3300 pounds of tobacco for damages and 584 pounds more for costs. Execution was to be stayed until Governor Calvert was paid £67 sterling out of the estate.

The cases in which Robert Harper, indented servant and chirurgeon, cured sick men, to the benefit of his master, have been mentioned (*ante,* xxxvi). There is a similar case where a chirurgeon acted in his own behalf, and the patient was none other than John Coode, later the famous or infamous leader of the Protestant Revolution of 1689. In May 1672, Coode was very sick indeed of a seasoning. A seasoning was any disease affecting especially persons not yet used to the region, so Coode must have come to Maryland only very recently. He sent for John Peerce, Chirurgeon, and asked him to heal him and cure him of the disease. Peerce attended him constantly for six weeks, and made for him "divers medicines plaisters drinkes Cordialls and other wholesome and fitt things to cure" him, and he did cure him. Peerce asked 10,000 pounds of tobacco, Coode refused to pay it, and Peerce sued for 14,000 pounds. The jury awarded him 5000 pounds plus costs. Coode's lawyer, Kenelm Cheseldyn, claimed the judgment was insufficient for lack of details. The justices examined the judgment, declared Coode's allegations were untrue and reaffirmed the award for 5000 pounds with 1743 pounds for costs (*post,* pp. 393-395).

OUTSIDE THE PROVINCE

There were at this time no cases heard by the Provincial Court sitting in admiralty, and not many cases involving ships and mariners in any way. To be sure, whenever there is a case involving a bill of exchange (and there are a dozen or more of them), trade outside the Province is sure to come in. Consider the case of John Litchington *v.* John Maltby (*post,* pp. 65-67). John Maltby, lately a St. Mary's County merchant, and earlier of New Haven in New England, was attached by John Litchington, mariner, master and part owner of the *Mary* of London to answer a charge of trespass upon the case. Litchington said Maltby had given him a bill of exchange on John Nethway of Fyall, for £120 sterling at ten days sight. Maltby of course agreed that if Nethway did not pay the sum, he, Maltby, would do so. Nethway did refuse to pay it, and Maltby had also refused, though he was bound. The jury found for the plaintiff, Litchington, in the full sum of £120 sterling with costs. Hereupon Maltby was "by the Co^{rt} Committed to the Keep of the prison of the said Lord Proprietary in execution" for the total of the decision until he had satisfied it to Litchington. The prison of the Lord Proprietary was at that time on the plantation of Luke Gardner, gentleman, sheriff of St. Mary's County (*post,* p. 211). When Maltby continued to fail to pay the sterling and the tobacco, Litchington sued Sheriff Gardner, in whose custody Maltby was, on a charge that Gardner had permitted Maltby to escape (*ibid.*). The jury decided in favor of the sheriff, and awarded him his costs and charges. Since the action was taken against the sheriff, it was the coroner and not the sheriff who summoned the jury (*ibid.*, p. 212). The other cases involving bills of exchange are not essentially different from Litchington v. Maltby. Pleas for an account were also likely to concern the affairs of persons outside the Province. Henry Phipps, administrator of Edward Maynard, mariner, deceased, summoned Thomas Marsh to an accounting of the time he was receiver of Maynard's tobacco, and the Court ordered Marsh to make the desired account. Marsh, like Maltby, was committed to the custody of his sheriff, of Anne Arundel County. Auditors were appointed by the Court, and, upon their long, detailed report, it was decided that Phipps had been damaged by Marsh's failure and delay, and a writ of inquiry of damages was granted him (*ibid.*, pp. 193-202). After several postponements, it was decided on October 13, 1674, that the mariner's administrator recover 7266 pounds of tobacco debt, 1000 pounds damages, and 2284 pounds costs and charges (*ibid.*, p. 312).

GUARDIANS AND ORPHANS

The troubles of guardians and orphans were considered by this highest court in the Province, though, to be sure, they generally came up in the county courts (*see Archives* LIII and LIV), or in the Court of Chancery. That court was composed of the same judges as those of the Provincial Court, with the Chancellor presiding, but there is at this time little mention of chancery or of cases in chancery. On October 16, 1674, the record states that Chancellor Philip Calvert, Thomas Taillor, Thomas Truman and Baker Brooke "continue the causes in Chancery untill the eighth day of December next." and "The Provinciall Court adjourned untill the same day." (*post*, p. 370). No idea is given of the cases considered or of the dispositions made of them. It would seem that some of the cases heard and decided by the Provincial Court might better have been heard in the Chancery Court, which was separated from the Provincial Court in 1669.

The affairs of orphans and guardians do not bulk large in the Court proceedings at this time. Elizabeth Russell, daughter of Richard Russell, deceased was said by the neighborhood to have been "inhumanely beaten and abused" and therefore she came into court. When the Court saw the marks, they said she should be for a year in the keeping of Love Daniel, wife of Constant or Constantine Daniel, and that her stepfather pay Mrs. Daniel for her care. At that time Sarah Coleman also chose Mrs. Daniel for her guardian (*post*, p. 90). A little later William Wright, son of William Wright of Popler Hill, chose Thomas Bennet to be his guardian, and the Court approved (*ibid.*, p. 95). Andrew Norwood came into court on February 10, 1673/4, and asked the justices to help him get his proper share of his father's estate. His father, John Norwood, had died, leaving seven children, leaving also a considerable estate. His mother, Ann Norwood got out letters of administration on her husband's estate and afterwards married James Boyd "a young man". The mother and her young husband refused to give Andrew his inheritance, and even turned him out of doors. Andrew, who did not want to go to law with his mother, asked the Court to order that she have her thirds assigned to her, so that he and the other children should have what was due them. The Court, after a full investigation, did so order, and added that Andrew was to have all the patents and other papers relating to the estate.

If a widow with children remarried, as she usually did, the stepfather could not be restrained by her in his treatment of the children or of their estate. If, though, the children had a guardian, he could protect his wards. Robert Dunn, sheriff of Kent County, guardian of William Vaughan, told the Court that Jeremiah Eaton, the boy's stepfather, had not turned over to him 10,000 pounds of tobacco that had been left to young Vaughan by Major Thomas Ingram, who may have been the boy's godfather, nor the four head of cattle left him by his father (*post,* pp. 178-179). The Provincial Court ordered the case back to the Kent County court, with orders to find out what Eaton had of the property of the boy, and to have it turned over to his guardian. On November 12, 1673, the Kent County court reported that they had gone into the matter and had got from Eaton a promise to pay over to Dunn the 10,000 pounds of tobacco. Despite the court's order, Eaton had not paid over the tobacco, so the Provincial Court ordered that a *scire facias* issue to Eaton, to be followed by an execution for the tobacco if he did not show cause (*ibid.,* pp. 590-591). The proceedings of the Kent County court do not show anything more in this case, but there is a gap in them from October, 1671, to 1675/6 (*Archives,* LIV, pp. 317, 318).

SMALL CASES

Although the Provincial Court was at this time the highest court in the Province except the Governor and Council sitting as a court of appeals, the record shows it considering very small cases. In the case of Daniel Jenifer *v.* Lodowick Martin, the innkeeper and lawyer sued Martin for 308 pounds of tobacco, which amounted to 308 pence, since tobacco was valued at a penny a pound (*post,* p. 341). There were two or three cases involving 400 pounds or less, and a dozen or more worth less than a thousand pounds.

Nor were cases concerning small sums of money the only kind of small cases considered. The poor, especially the sick poor, asked for and got the Court's consideration. So, too, did widows and orphans. On May 6, 1674, John Le ffebure told the Court "That he is diseased by certaine infirmity of old Sores fallen into his legg that he is unable to worke for his liveing neither hath any thing to help himselfe but almost Starved for want of Sustenance and releife and prayes allowance for a maintenance or to transport him to his native Country." which may have been France. The Court learned that the St. Mary's County court had allowed him 800 pounds of tobacco, and ordered Mr. Clement Hill to arrange for his passage, and to give the old man what was left after the passage was paid (*post,* p. 543). Mrs. Walter Greene, whose husband was in prison for debt, told the Court that she had nothing to sustain herself or her child, and the Court ordered the St. Mary's County commissioners to give her and the child a competent maintenance (*ibid.,* p. 387). At that time a competent maintenance for a pauper was not a definite amount, but it was certainly not more than a hundred pounds of tobacco a month (*Archives,* LIV, p. 322). In cases coming before the Court, four or five men were admitted *in forma pauperis,* but that did not necessarily mean real poverty: two or three of them were described as planters.

The proceedings of the Provincial Court were much more than a record of cases coming before it or of actions taken by it. Deeds, wills, land transfers, cattle marks, contracts, commissions and appointments to office, oaths taken, warrants and letters of attorney by the tens and dozens, and other kinds of papers not directly related to cases before the Court, appear here, whether they were offered to the Court or only handed to the clerk. The clerk did not mind: he got 16 pounds of tobacco for every side he recorded (*Archives,* II, pp. 137, 294). If these rather irrelevant papers were put into this record, they were at least permanent. Which is, of course, exactly why they were put here.

APPENDIX

In the appendix to this volume appear the Provincial Court proceedings from October, 1659, to February, 1659/60. Volume XLI of the *Archives* contains the Court records from 1658 to 1662, but when it went to press, pages 315-340 were missing from Liber PCR, which is reproduced in volume XLI. Later they were found and restored to their proper place. Although they cover only twenty-three pages (*post,* pp. 667-689), they are important enough to justify including them here, especially since this volume LXV, like the older one, deals with the Provincial Court. The matter of dating these pages proved troublesome, and it could be done only partly and by a close comparison with the text of the older volume. The last certain date before the gap is October 7, 1659 (*Archives,* XLI, p. 339). After the opening of the Court on that day, come orders given by it in several cases, records sent up from Calvert and St. Mary's County courts, and depositions in the action brought by Walter Hall against John Pille for withholding two hogsheads of tobacco belonging to Hall. In the midst of that case comes the break (*Archives,* XLI, p. 343), and the first of the recovered pages are so full of holes that they do not reveal much. The Court, evidently still sitting, considers two cases and decides them, receives a petition which it refers to the General Assembly, and orders an attachment. Then the "Court dissolued by y^e^ Gouerno^r^" with no mention of the date of the dissolution. However, since the Court rarely, if ever, sat longer than four or five days, it was probably October 11 or possibly October 12. So the recovered pages begin some time between October 7 and October 12, 1659. The Governor, Josias Fendall, in dissolving the session "apoynted y^e^ next Provinciall Court to bee held att New Towne on S^t^ Maries County on y^e^ last Tuesday in y^e^ month of ffebruary following. (Viz) 28^th^ of ffeb." 1659/60 (*post,* p. 670). Yet rather shortly he changed his mind, for a Provincial Court was "holden att y^e^ Resurrection manno^r^ in Caluert County this 12^th^ of Decemb^r^ 1659" (*ibid.,* p. 674). When this December session came to an end is not known, and there is no clear inference: on page 683 *post,* some one demands of the Court a warrant against his adversary in an action of debt, and it was issued and made returnable "next Prou: Court att New-Towne 28^th^ ffeb. next." Then follow an order for the correct marking of a boundary tree, indentures of sale for land, and the settlement made at the marriage of William Bretton to Mrs. Temperance Jay. The appendix closes with an indenture for the sale of land and the assignments on the backside of it; and the already published text begins with the last two assignments to this indenture, the last one dated January 17, 1659/60, evidently between sessions of the Court. So the final date for this appendix is January 1659/60.

Because the contents of the appendix form a part of the already published volume, the enquiring reader is referred to it, and not much need be said here. There are, however, several matters interesting enough or important enough to deserve comment. John Norwood, sheriff of Anne Arundel, humbly petitioned the Governor and Council, saying that there was owing to him "seuerall summes of Tob due . . . for the apprehending & imprisoning of Certaine persons called Quakers", and asking for "some releife & satisfaction". The Governor and Council, who were the same persons as the Provincial Court, referred the matter to the General Assembly, of which the Council in another incarnation formed the Upper House. Although the Assembly proceedings do not specify whose imprisonment it was for which Norwood presented his charges, in April–May 1661, it is probable that it was the Quakers. At any rate, his petition and account were referred by the Upper House to the Lower House (*Archives,* I, 400), and it was voted a little later that "M^{r} John Norwood be payd 5975$^{lb\ tob}$ out of the County of Anne Arrundell and 335^{lb} tob. out of the publike Leauy according to the Journall 30th Aprill" (*ibid.,* 420).

Two men, who could not agree on the division left to heirs, submitted to the decision of umpires. There were seven cows and three yearling heifers, truly a hard number to divide. Humphry Howell got "ffower Cowes named Old Dazie, Mopus, Browne Dazie, young Browning", and Nicholas White got three cows and two of the heifers: his cows were "Old Cherry, young Cherry, Black Dazie". The third heifer was given to Nicholas White's daughter Ellinor (*post,* p. 675). Truly, the Provincial Court did not hesitate to take cases of small amounts.

Dr. Jacob Lumbrozo, the unsavory person who runs in and out of the early history of the Province, demanded and got two warrants against Richard Smith, one for defamation, the other for assault and battery. Both were returnable next Provincial Court, February 28, 1659/60, but volume XLI is entirely silent about them.

Also in these 1659/60 proceedings are found the documents connected with the approaching marriage of William Bretton and Mrs. Temperance Jay. Although Bretton is often described as lord of the manor of Little Brittaine, this is an error: he was owner of the plantation of Little Brittaine which he held as of the manor (Land Office records, Liber A, fol. 209). The lady may have been married, or she may not: at any rate, she is always referred to as Mrs. Jay. Bretton, clerk of the Assembly, made over to two St. Mary's County men, Cuthbert Fenwick and Dr. Thomas Mathewes, for the use of Mrs. Jay and "such Child or Children (if any) as it shall please god to giue between her & mee all y^{e} . . . howses, Lands, goods, cattle & chattells hereafter sett downe &

expressed. (Viz) My now dwelling howse in Little Brittaine aforesd w^th^ fowre hundred Acres of Land next thereunto adioyning. Also one Black-browne Cow (named Browning) cropd both eares. Also one reddish-browne Cow (named Chesnutt) slitt both eares. Also one other reddish-browne Cow (named Cherry) & one Black Cow (named Collier) both of my own proper marke. Allso one Red Heifer, cropd y^e^ left eare, w^th^ two slitts in y^e^ Crop & a hole in y^e^ right eare, & underkeeld. Allso one other yeareling blackish heifer of my owne marke. Allso Two Cow calues of this p^r^ent yeare of my owne marke (the right eare being slitt att y^e^ deliuery) w^th^ all the encrease". Bretton reserved for himself for his lifetime all the milk of the cows and all the bull calves. He laid aside for Mrs. Jay his "owne best Bed w^th^ all its furniture" and half of all his other household goods. Of these goods he says he had given the trustees a list: too bad that that list is missing. Furthermore, she might, within a year of his death, take half of all the hogs he left at his death. If she died first, what he has designated for her was to be used to make portions for any children they might have. This document is dated July 10, 1651: another of the same date gives her full power and control over an annuity of £20 sterling coming to her from Captain George Evelin of Virginia (*post,* 684-685). One of the first entries in the 1660 proceedings after the break being filled by this appendix tells about this annuity (*Archives,* XLI, pp. 343-344). On October 11, 1649, Captain Evelin acknowledged that Mrs. Jay had paid him £120 lawful money of England. For this, he bound himself to pay her every year in Virginia £20 sterling, during her lifetime. "And because money is scarce in Virginia [as it was in Maryland, too], I doe oblige myself to pay unto the s^d^ M^rs^ Jay, soe much goods, as she shall like of" amounting to £20 sterling. If Mrs. Jay should return to England within three years. Evelin was to pay her, in England, the £120 sterling. If he should fail to pay her what he had agreed, he was to make over to her considerable land in "Greendall old ffort or Middle Plantation worth £20 sterling. Middle Plantation was, of course, Williamsburg. Bretton, in agreeing that Temperance should control her own annuity, was really and unusually generous. It was a well-known and very firmly settled point of English common law that whatever personal property a woman brought with her into a marriage belonged to her husband, and he need not even leave her at his death property that she had brought him or money that she herself had earned. Temperance and William did get married, and, not much later, she joined him in deeding land for the erection of a Catholic church (*Archives,* XLI, 531).

In closing, the editor must express the real gratitude she feels to the two lawyer members of the Publications Committee. Mr. George Ross Veazey and Col. Harrison Tilghman both answered questions that had arisen in the editorial mind on legal points, and so helped in the accuracy of the text and the introduction.

PROVINCIAL COURT PROCEEDINGS

1670 [1671]

At a Provinciall Court of the Right Hono^{ble} Cecilius absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltamore &c held at the Citty of St Maryes the seaventeenth day of ffebruary in the nine and thirtieth year of his Lordshipps Dominion &c over this Province of Maryland Annoque Domini 1670. before Charles Calvert Esqꝫ Leivetennant Generall and Cheif Governo^{r} of this Province of Maryland Philip Calvert Esqꝫ Chancelour William Talbot Esqꝫ Secretary William Calvert Esqꝫ Thomas Truman and Edward ffitzherbert Esqꝫ Justices assigned to Keepe the peace in the Province of Maryland aforesaid, moreover to heare and Determine diverse fellony & transgressions and other misdemeano^{rs} in the said Province perpetrated and Comitted. Liber J J p. 478

Upon the Complaint of Elizabeth Moy wife of Richard Moy In holder that whereas her husband is dangerously sick; and that a servant of his named Nicholas Bradley (now p^{r}sent in Court) is stubborne and Rebellious, and refuseth to obey any of her lawfull Commands, and besides hath purloined several things out of her house, and the said Bradley not denying the same.

Ordered by the Court here that the Sheriff of St Maryes County cause the said Bradley to be whipped imediately upon the bare back, and that the said Bradley receive six lashes.

Henry Ward of the County of Baltamore having been long bound over to this Court and no pson appearing to psecute ag^{t} him the said Ward was here in open Court quitted by Proclamation.

March the 21th 1670 [1671]

Charles James of the County of Baltamore gentl become bound to the Right Hon^{ble} the Lord Proprietary in the full and Just sume of five hundred pounds Sterling upon condition that he should psonally appeare before the L^{t} Genall and his associate Justices at the City of St Marys the 3^{d} day of Aprill next Ensuing and then and there prosecute against the Murderers of John Hawkins late of Elke River in Baltamore County deceased then the said Recognizance to be void otherways to stand in force.

At a Provinciall Court of th^{e} Right Hono^{ble} Caecilius absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltamore &c. held at the Citty of S^{t} Maryes the tenth p. 479

Liber J J day of Aprill in the nine and thirtieth yeare of his Lordshipp's Dominion over his said Province of Maryland Annoque Domini 1671. before his Lordshipp's Justices for the Keeping of the peace of the said Province, and moreover for the hearing and Determining of Diverse fellonyes murders Trangressions and other misdeeds in the said Province Comitted and perpetrated assigned, at which time were p^{r}sent

The Right Hono^{ble} Charles Calvert Esq Capt Generall and Cheif Governo^{r} of Maryland.

The hono^{ble} Philip Calvert Esq Chancelour.
Si William Talbot Baronet Secretary
William Calvert and
Samuell Chew Esquires Justices.

The Court being called the Cryer makes Proclamation

All Justices of Peace Coroners Stewards of Leets and libertyes and other Officers that have taken any Inquisitions Indictments or Recognizances whereby you have let any man to bayle put in yo^{r} Records thereof forthwith that his Lordshipps Justices may proceed.

The Cryer maketh another Proclamation

You good men that are Empannelled to Enquire for the Right hono^{ble} the Lord Proprietary and for the body of this Province answere to yo^{r} names Everyman at the first call upon paine and perrill that shall fall thereon.

The names of the Grand Juro^{rs} are as followeth.

Foreman Thomas Cosden
Richard Lloyds
Thomas Payne
George Beckwith
Richard Keene
Thomas Innes
Thomas Griffin
Richard Bayley
Bryan Dayley
Elias Beech
Richard Edelen
Thomas Loker
John Bayley
John Cambell
George Macall
John Waghob
ffrancis Hill
Zachary Wade

The said Grand Juro^{s} in number Eighteene being called approved and were all sworne according to the Teno^{r} of the oath usually administered to Grand Juro^{rs}.

After which M^{r} Attorney Generall delivered unto them the ensuing Indictment which followeth in these words (viz^{t})

Maryland ss. Let it be inquired for the Right hono^{ble} ^{the} Lord Proprietary if James Sall of Elke River in the County of Baltamore Laborer late servant of John Hawkins of Elke River aforesaid planter, and John the Negro laborer being also servant to the aforesaid John Hawkins, and also Robert Warry laborer being also servant to the aforesaid John Hawkins and Robert Spear laborer being also servant to the aforesaid John Hawkins and also Tony the Negro being also servant to the aforesaid John Hawkins the sixteenth day of ffebruary in the nine and thirtieth yeare of the Dominion of Caecilius & in and upon the said Hawkins then their said Master by force and Armes that is to say with certaine Axes of the vallue of forty pence which they the said James Sall John the Negro Robert Warry Robert Speare and Tony the Negro then and there did severally hold in their hands and upon the forenamed Hawkins then there Master, then and there in the peace of God and the Lord Proprietary, being volluntaryly of their mallice before thought of did make an assault, and the same Hawkins then their Master then and there with the said Axes feloniously and Traytorously upon his head strongly and stoutly did severally strike so that by the said stroakes the head of the said Hawkins then their said Master was then and there broke giving to him a mortall wound upon the Right side of the head nigh to the Crowne breaking in Severall pieces the skull of the head of him the said Hawkins of the Depth of Three Inches of the breadth of One Inch and the length of One Inch and halfe whereupon the body of him the said Hawkins did Imediately fall to the Earth and the said Hawkins instantly of the said blowes Died so that they the said James Sall John the Negro Robert Warry Robert Speare and Tony the Negro at Elke River aforesaid of their mallice aforethought of the said Hawkins then their said Master in manner and forme &c aforesaid voluntaryly & wickedly feloniously and Traytorously did Kill against the peace of the Lord Proprietary his rule and Dignity. Liber J J p. 480

And further the said Attorney Generall Delivered unto the said Grand Jury the Inquisitions Examinations and other papers that concerned the said busnies, and also the witnesses that were p^{r}sent to make good the said Indictm^{t} being called (viz^{t}) Charles James Coroner Augustin Harman Richard Chapman and John Rycroft who being Sworne to deliver the truth of their Knowledge in that busnies to the said Grand Jury. The said Juro^{rs} withdrew into a private Roome to consider of their verdict.

During which the Co^{rt} adjourned for halfe an houre.

The Court being sate againe at the End of the said halfe houre the Grand Jury came into the Court & p^{r}sented to the said Court the said bill of Indictment and other papers, on the backside of which Indicm^{t} was then written (vizt) Billa vera.

Comand was then given to the Sheriff of St Maryes County to bring the said James Sall, John the Negro, Robert Warry, Robert Speare, and Tony the Negro, to the barre which being done. The Cryer made Proclamation in these words (vizt)

His Lopps Justices streightly Charge and Command all persons to Keep Silence for now they will proceed upon pleas of the Crowne to the arraignm^{t} of Prisoner^{s} upon life and Death and that all persons that have any Evidence to give against any of the prisoners now at the Barre draw near and give yo^{r} Attendance or forfeit yo^{r} Recognizances.

Liber J J p. 481 whereupon the Clarke called to the said James Sall to hold up his hand, which he doing the Clarke said Thou art here indicted by the name of James Sall of Elke River in the County of Baltamore laborer late servant of John Hawkins of Elke River aforesaid. John the Negro, hold up thy hand, thou art also here Indicted by the name of John the Negro Laborer being also a servant of the aforesaid Hawkins. Robert Warry hold up thy hand, thou are here indicted by the name of Robert Warry laborer being also servant to the aforesayd John Hawkins Robert Speare hold up thy hand, Thou art here indicted by the name of Robert Speare laborer being also servant to the aforesaid John Hawkins, and also Tony the Negro hold up thy hand, thou art here indicted by the name of Tony the Negro being also servant to the aforesaid John Hawkins. for that you the sixteenth day of ffebruary in the nine and thirtieth yeare of the Dominion of Caecilius &t^{c} in and upon the said Hawkins then your Master by force and arms &c that is to say with certain Axes of the vallue of forty pence which you the said James Sall John the Negro Robert Warry Robert Speare and Tony the Negro then and there did Severally hold in your hands, and upon the forenamed Hawkins then your Master then and there in the peace of God and the Lord Proprietary being volluntaryly of your mallice before thought of did make an assault and the same Hawkins then your Master then and there with the said Axes feloniously and Traytorously upon his head strongly and stoutly did Severally strike so that by the said stroakes the head of the said Hawkins then yo^{r} said Master was then and there broke giving unto him a mortall wound upon the Right side of the head nigh to the Crowne breaking in severall peices the skull of the head of him the said Hawkins of the Depth of Three Inches and the breadth of One Inch and the length of One Inch and halfe whereupon the body of him the said Hawkins did imediately fall to the Earth and the said Hawkins instantly of the said Blowes died so that you the said James Sall John the Negro Robert Warry Robert Speare and Tony the Negro at Elke River aforesaid of your mallice aforethought of the said Hawkins yo^{r} said Master in manner and forme aforesaid volluntaryly and wickedly feloniously and Traytorously did Kill against the peace of the Lord Proprietary his Rule and Dignity.

what sayest thou James Sall art thou guilty of this petty Treason or not guilty.

The said Sall answered (not Guilty)

Then the Clerke Demanded of him how he would be Tryed.

The said Sall Replyed by God and his Country.

Then the Clerke Demanded of John the Negro if he were guilty of that Petty Treason or not guilty.

Who likewise pleaded (not guilty) and for his Tryall put himself upon God & the Country.

Then the Clerke Demanded of Robert Warry if he were guilty of the petty Treason aforesaid or not Guilty. Liber J J

who confessed himself Guilty.

The Clarke imediately Commanded the Gaoler to look to him.

Then the Clerke Demanded of Robert Speare if he were guilty of the petty Treason aforesaid or not guilty. who pleaded not guilty and for his Tryall put himself upon God and the Country. p. 482

Then the Clerke Demanded of Tony the Negro if he were Guilty of the petty Treason aforesaid or not guilty. who not Speaking English his pleading was respited that the Court and the Jury by the Tryall of the rest might see how farre the said Tony the Negro was concerned in this business

Immediately after the Sheriff of St Maryes County delivered to the Court here a pannell of the Juro^{rs} of life and death who being called appeare as followeth (viz^{t})

Richard Smith
Nathaniell Garnet
William Petty
Marmaduke Symms
Thomas Spinke
Samuell Neale
George Marshall
Henry Smith
Thomas Pritchard
John Craycroft
John Nuthall &
Constant Daniell

The Clerke satisfyed the prisoners that those persons that were last called were the Jury that were to passe upon their lives and their deaths therefore if they would Challenge them or any of them doe it before they were sworne.

The Jury aforesaid being called Every man by his name answered thereunto and were severally sworn none of the prisoners making any Challenge.

The Clarke then called to James Sall, John the Negro and Robert Speare Severally to hold up their hands, and bid them looke upon the Juro^{rs}, and the Juro^{rs} to looke upon the prisoners, and give them to understand that the said James Sall John the Negro and Robert Speare doe stand indicted by the name of James Sall of Elke River in the County of Baltamore laborer late servant of John Hawkins of Elke River aforesaid, and John the Negro laborer being also servant of the aforesaid John Hawkins and also Robert Speare being also servant to the aforesaid John Hawkins the sixteenth day of ffebruary &tc (& so read the whole Indictm^{t} as before) upon which Indictment they have been arraigned, upon their arraignm^{t} they have pleaded not guilty and for their Tryall have put themselves upon God and the Country which Country they were so that their Charge was to Enquire whether the said James Sall John the Negro and Robert Speare be guilty of the petty Treason aforesaid whereof they stand Indicted or not guilty if they found them guilty to Enquire what lands &c and heare their Evidence—

Then was Called Charles James Coronor Augustin Harman Richard Chapman and John Rycroft and in open Co^{rt} sworne against

Liber J J p. 483 the prisoners to give Evidence, to the Jury what they could Say therein who having Delivered the same.

The Court called to the prisoners to Speake for themselves which they having severally done The Jury went from the barre to consult upon their verdict

The Jury being agreed Retorne into Court again, and being called by their names respectively answere thereunto, and the Clerke demanding if they were agreed of their verdict, They answere yea. Then the Clerke demanded who should Speake for them, and they make answere their foreman.

The Prisoners being then called to the barre

The Clarke called to James Sall to hold up his hand, and spoke to the Juro^rs^ to looke upon the prisoner.

And then Demanded of the Juro^rs^ if James Sall were guilty of the petty Treason whereof he stands indicted or not Guilty.

The foreman answered (Guilty.)

Then the Clarke Demanded of the Juro^rs^ if John the Negro (whom he called to, to hold up his hand) were guilty of the petty Treason whereof he stands Indicted or not Guilty.

The foreman answered (Guilty.)

Then the Clerke called to Robert Speare to hold up his hand And then Demanded of the Juro^rs^ if the said Robert Speare was guilty of the petty Treason whereof he stands indicted or not Guilty.

The foreman answered Guilty

Then the Clarke Demanded what Goods & Chattells lands and Tenem^ts^ they had at the time of the petty Treason Comitted or at any time since to their Knowledge who Reply (none).

Then the Court Comanded the said John the Negro James Sall & Robert Speare to be sett from the barre, and Tony the Negro to be sett to the barre. and the Court having weighed the Evidence that had beene against the aforesaid convicted pson, and the said Tony the Negro standing indicted for the same crime. (though the said Tony could Speake no English) yet put him upon his Tryall upon the same Jury. who being Sworne as aforesaid, and hearing what Evidence could be alledged against him went into the next Roome to Consider of their verdict.

The Juro^rs^ retorning into the Court and being agreed upon their verdict and being called by their names Respectively answere thereunto and the Clerke Demanding of them if they were agreed of their verdict they answered yea, Then the Clerke demanded who should Speake for them, and they answering their foreman.

Tony the Negro being called to the barre & holding up his hand The Clerke Demanded of the Juro^rs^ aforesaid if Tony the Negro were guilty of the petty Treason whereof he stands indicted or not guilty.

The foreman answered (not Guilty)

Whereupon the Cryer made Proclamation in these words (vizt). Liber J J p. 484

If any Man can informe his Lordshipps Justices or the Attorney Generall of any Treason murder fellony or any other misdemeano^r^ Comitted or done by Tony the Negro now Prisoner at the Barre, let him come forth and he shall be heard for the Prisoner stands upon his Deliverance.

No person appearing to alledge any thing against him the Court discharged him of the Indictm^t^ aforesaid.

Then the Clerke Comanded the Gaoler to sett Robert Warry to the barre which being done The Clerke said as followeth.

Thou Robert Warry doest Remember that thou hast beene Indicted of Petty Treason by thee done and comitted, and upon thy Indictment thou hast beene arraigned and upon thy arraignm^t^ confessed the same, what canst thou now say for thy self why Judgm^t^ of Death should not be pronounced against thee?

who answered nothing.

Then the Clerke commanded the Gaoler to sett James Sall John the Negro and Robert Speare to the barre which being done the clarke said as followeth

You James Sall John the Negro and Robert Speare doe Remember that you have beene Indicted of Petty Treason by you done and Comitted, upon your Indictment you have beene arraigned, and upon yo^r^ arraignm^t^ you have pleaded not guilty, and for yo^r^ Tryall you have put yo^r^ selves upon God and the Country, which Country hath found you guilty, what can you or Either of you now say why Judgem^t^ of Death should not be pronounced against you and Either and Every of you.

who none of them answering anything.

The Cryer made proclamation. All manner of persons are strictly Charged and Comanded by his Lordshipps Justices to Keepe silence while Judgem^t^ is in giving upon paine and perill that shall fall thereon. which done—

His Excellency The Generall made a short Repetition of the haynousnes of their crimes, admonished them to prepare for Death and then passed sentence as followeth.

You James Sall John the Negro Robert Warry and Robert Speare are to goe from hence to the place from whence you came and from thence to the place of Execution and there you and Either and Every of you are to be hangd by the Necks untill you be dead. and so the Lord have mercy upon yo^r^ soules.

whereupon it was Comanded to the Sheriff of St Maryes County that he cause the bodyes of the said James Sall John the Negro Robert Warry and Robert Speare to be brought from the place where they are imprisoned unto the Citty of St Maryes on ffryday the Fourteenth instant, and then & there (on a Convenient Gallows which he shall cause to be set up between the hours of nine and Twelve of

Liber J J the same fourteenth day of this instant April that he cause the bodyes of the said James Sall John the Negro Robert Warry and Robert Speare by the hands of Tony the Negro now in his Custody to be hanged by their Necks, untill they be dead. And for his so doing
p. 485 this shall be his warrant. Given under my hand & seale at arms the Eleventh day of Aprill in the 39th year of the Dominion of Caecilius &c Annoque Domini 1671.

Charles Calvert.

At a Provinciall Court of the Right Honble Caecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c held at the Citty of St Maryes the fourteenth day of Aprill in the 39th yeare of the Dominion of Caecilius &c Annoque Domini 1671 before his Lordshipps Justices for the Keeping of the peace of the said Province, and moreover for the hearing and Determining of Diverse fellonyes, murders Transgressions and other misdeeds in the said Province Comitted and perpetrated assigned, at which time were prsent

The honoble Philip Calvert Esq Chancelor.
William Calvert, Baker Brooke } Esqs.
Thomas Truman, Samuell Chew and Edward ffitzherbert } Esqs.

The Court being called The Cryer makes proclamation

All Justices of peace Coroners stewards of Leets and libertyes and other Officers that have taken any Inquisitions Indictmts or Recognizances whereby you have let any man to bayle put in your Records thereof forthwith that his Lopps Justices may proceed.

The Cryer maketh another proclamation.

You good men that are impannelled to inquire for the Right honoble the Lord Proprietary and for the body of this Province answere to your names Every man at the first call upon payne and perill that shall fall thereon.

The names of the Grand Jurors are as followeth.

Foreman Thomas Cosden
William King
Guy White
Henry Neale
Thomas Griffin
John Nuthall
William Claw
William Lucas
Daniell Clocker
George Macall
ffrancis Hill
David Holt
Bryan Dayley
John Rommings
Samuell Windslow
& Henry Parker

The said Grand Jurors in number sixteene being called appeared and were all sworne according to the Tenor of the usuall oath.

after which the Indictmt following was Delivered unto them by the Co:rt

Liber J J

Maryland ss The Juro^{rs} for the Right hono^{ble} the Lord Proprietary upon their oathes doe p^{r}sent that Isabella Yausley late of South River in the County of Ann Arundell Spinster being greate with Childe with a certaine living infant the third day of March in the nine and thirtieth yeare of his said Lordshipps Dominion at South River aforesaid in the County aforesaid by the Providence of God did labour with Childe and did bring forth a certaine male Childe p. 486 borne alive secretly and without the Company of any other women, and that afterwards the said Isabella by force and armes and of her mallice before thought the said third day of March in the nine and thirtieth yeare of his said Lordshipps Dominion &^{c} the said male childe so borne alive, and in a Natural being did make an assault and then and there feloniously did Kill so the said Isabella aforesaid the said male Childe of her mallice fore thought feloniously and volluntaryly did murther contrary to the peace of the Lord Proprietary his Rule and Dignity.

And the said Attorney Generall ordered the Cryer to call the witness vizt Thomas Taylo^{r} Coroner William Burges & Cornelius Haward, who appearing were sworne in open Court to deliver the truth of their Knowledges to the said Juro^{rs}. The said Grand Jury with the said witnesses withdrew into a private Roome and the Court Adjourned for halfe an houre.

The Court being sate againe at the End of the said halfe houre the Grand Jury came into the Court, and p^{r}sented to the Co^{rt} the said bill of Indictm^{t} on the backside of which was thus written. vizt. (Billa Vera)

After which the said Juro^{rs} were Discharged.

and then the Sheriff of St Maryes County was comanded to set Isabella Yausley to the barr^{e}; and she being arraigned pleaded not guilty & for her tryall put her self upon the Country.

whereupon the Sheriff of St Maryes County delivered in a pannell of the Juro^{rs} names for life and Death who being called appeare as followeth vizt.

fforeman	Thomas Payne	Robert King	Thomas Spinke
	William Petty	Richard Ridgell	William Hattoft
	Thomas More	Thomas Wright	Vincent Atchinson
	William Gifford	Walter Lane	Samuel Neale

The Clarke satisfyed the prisoners that those persons that were last called were the Juro^{rs} that was to passe upon her life and upon her death, therefore if she would challenge them or any of them she might doe it before they were sworne.

The Jury aforesaid being called Every man by his name answered thereunto, and were severally sworne the prisoner making no challenge.

Liber J J whereupon the Indictment is read againe to the Jury. after w^ch^ Indictm^t^ the Clerk said to the Juro^rs^. upon which Indictm^t^ she hath been arraigned, upon her arraignm^t^ she hath pleaded not guilty & for her tryall hath put her self upon God and the Country which Country they were so that their Charge is to Enquire whether the said Isabella Yausley is guilty of the murder whereof she stands Indicted or not guilty if they found her not guilty then to say so & no more—but if they found her guilty then to Enquire what goods &c & so to heare their Evidence.

Then was called Thomas Taylo^r^ William Burges & Cornelius Howard and were sworne in open Court against the prisoner to give p. 487 Evidence to the Jury, what they could say therein who having delivered the same, The Court called to the prisoner to Speake for herself which she having done the Jury went from the barre to Consult of their verdict.

In the meane time the Co^rt^ Adjourned for halfe an houre. The Court being sate, The Jury came into the Court, and being called by their names Respectively answere thereunto,

The Clerk demanded if they were agreed of their verdict and they answere (yea) Then the Clarke Demanded who should Speake for them and they replyed their foreman.

Isabella Yausley being then set to the barre, the Clerke called to her to hold up her hand, and spoke to the Juro^rs^ to looke upon the prisoner And then Demanded of the Juro^rs^ if Isabella Yausley then standing at the barre, were guilty of the murder whereof she stands indicted or not Guilty?

The foreman answered (Guilty)

After which the petty Juro^rs^ were discharged.

Then the Clarke Spoke to the prisoner at the barre as followeth Thou Isabella Yausley dost remember thou hast been Indicted of murder by thee done and committed, upon thy Indictm^t^ thou hast beene arraigned and upon thy arraignm^t^ thou hast pleaded not guilty, and for thy tryall thou hast put thy self upon God and the Country, which Country hath found thee guilty, what canst thou now say why Judgem^t^ of death should not be pronounced against thee.

The prisoner alledging nothing in Defence

Proclamation was made to comand silence whilst Judgem^t^ was in giving The Chancelour made a short Repetition of the foulnes of her Offence and advising her to prepare for her End, and then passed Sentence as followeth.

Thou Isabella Yausley art to goe from hence to the place from which thou didst come, from thence to the place of Execution, and there thou shalt be hangd by the neck untill thou shalt be dead & so the Lord have mercy upon thy Soule &^c^

Liber J J

Whereupon it was comanded to the Sheriff of St Maryes County that he cause the body of the said Isabella Yausley to be brought from the place where she is imprisoned unto the Citty of St Maryes on the Seaventeenth day of this instant Aprill, and then and there upon the Gallows between the hours of nine and Twelve of the same Seaventeenth day of Aprill that he cause the body of the said Isabella Yausley now in his Custody to be hanged by the Neck untill she shalbe dead, and for his so doing this shalbe his warrant.

p. 488

At a Provincial Court of the Right hono:ble Caecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c, held at the Citty of St Maryes the Seaventeenth day of October in the fourtieth yeare of the Dominion of his said Lopp over this Province of Maryland Annoque Domini 1671, before his Lopps Justices for the Keeping of the peace of the said Province and moreover for the hearing and Determining of Diverse fellonyes murders Transgressions & other misdeeds in the said Province comitted and perpetrated assigned at wch time were prsent

His Excellency Charles Calvert Esq Capt Genrall & Chief Justice.
The honoble Philip Calvert Esq Chancelour
Baker Brookes & Edward ffitzherbert Esqs.

The Court being called the Cryer makes proclamac̄on Comanding all Justices of Peace Coroners Stewards of Leets and libertys & other officers that have taken any Inquisitions, Indictmts or Recognizances whereby they have let any Man to bayle to put in their Records thereof that his Lopps Justices might pceed.

Patrick Sullivant

A Recognizance Retorned out of Talbot County wherein Patrick Sullivant is bound over to this Court for stealing goods of Doctor Tilghmans, who being called appeares & comitted into the Custody of the Sheriff of St Maryes County.

George Munrow

The Sheriff of Dorchester County brings here into Court George Munrow Comitted into his Custody by the County Court of Dorchester County for that the said George Murow after he had sworne the peace against one Thomas Kendall of the same County did take a bill of Eleaven hundred and fifty pounds of Tobacco to discharge ye said Thomas Kendall from the peace and did declare that he never feared the said Kendall before the said Justices, whereupon they commited him to the Sheriff untill he should find suertyes to appeare here & answere his forswaring himself, and bound the said Kendall in forty pounds Sterling to prosecute at this Court. The said Munrow was Comitted into the Custody of the Sheriff of St Maryes County.

The said Munrow was acquitted by proclamation, and discharged paying his ffees. (vizt) to the Sheriff of Dorchester County sixteene hundred pounds of Tobacco, as by his accompt allowed in Court appeareth the ffees to the Clerke and Cryer of the Court, and to

Liber J J the Sheriff of St Maryes County, for all w^{ch} ffees the Sheriff to be responsable if he set him at liberty.

Justinian Gerard The Sheriff of St Maryes County made a Retorne of a p^{r}cept to him Directed for the app^{r}hending of Justinian Gerard for hog-stealing, that the said Gerard was not found in his Baliwick.

Humphry Joanes Humphry Joanes of St Maryes County bound over by Mr Benjamin Salley for a Rape upon Mary Smith and for speaking words ag^{t} the Lord Proprietary who being called appeares, and was Comitted into the Custody of the Sheriff of St Maryes County. Mary Smith James Kersha and John Warne witnesses against him appeare.

p. 489 Mary Stevens servant to Patrick fforrest for murdering her bastard Childe brought here into Court and committed into the Custody of the Sheriff of St Maryes County.

The Cryer makes proclamac̄on.

You good men that are Empannelled, to Enquire for the Right hono:^{ble} the Lord Proprietary and the body of this Province answere to your names.

The names of the Grand Juro^{rs} are as followeth

Richard Tilghman foreman
John Blomfeild
John Nuthall
John Anderton
Thomas Bennet
John Bayley
Thomas Lomax
Demetrius Cartwright
Robert Tyler

William Turner
John Wright
George Harris
Morgan Jones
William Asbeston
Thomas Doxey
John Balding
John Robinson
Nicholas Brookes

The said Grand Jurours in number Eighteene being called appeared and were all sworne according to the Tenour of the usuall oath.

after which these Indictm^{ts} following were Delivered by the Attorney Generall unto the Grand Inquest (vizt)

Maryland ss Let it be inquired for the Right hono:^{ble} the Lord Proprietary of this Province whether Joshua Guibert of Lukeland in the hundred of Choptico in the County of St Maryes within this Province planter the fifteenth day of June in the nine and thirtieth years of his Lo^{pps} Dominion &^{c} Annoque Domini 1671 the goods and Chattells of John Blomfeild of Mitcham Hall in the same County then and there being, to wit one steare three yeares ould, three heifers three yeares ould, two heifers two yeares ould foure yearlings being marked with the propper marke of Doctor

Joshua Guibert

Luke Barbour deceased, the marke of the same Cattle together with a mare foale of the proper goods of him the said John hath altered and the same doth deteine and convert to his owne use and other Enormityes to him the said John then and there did doe contrary to the peace of his Lo^{pp} his Rule and Dignity. **Liber J J**

witnes. John Blomfeild.

Maryland ss Let it be Inquired for the Right hono^{ble} the Lord Proprietary if Humphry Joanes of St Clements Hundred in the County of St Maryes planter, the Seventh day of January last past in the year of our Lord 1670 at the Quarter of M^{r} Robert Sly late of the County of St Maryes aforesaid, (since Deceased) by force and Armes an assault did make, upon the body of Mary Smith, and then and there Feloniously did Ravish and her Carnally did Know against her will, contrary to the peace of y^{e} Lord Proprietary his Rule and Dignity and against the Forme of the Statute in that case made and provided.

witnesses
John Ward
James Keshaw
Mary Smith

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Mary Stevens

Maryland ss Let it be Inquired for the Right hono:^{ble} the Lord Proprietary if Mary Stevens of St Maryes hundred in the County of St Maryes Spinster, on the five & twentieth day of July in the yeare of our Lord God One Thousand Six hundred Seaventy and one being greate with Childe of a certeine living infant in the County aforesaid by the providence of God did labour with Childe, and did bring forth one living Childe, and that afterwards the said Mary Stevens by force and armes and of her mallice before thought of, did Kill and murther the said Childe contrary to the peace of the said Lord Propr̄y his rule and Dignity and against the forme of the Statute in that case made & provided.

witnesses
John Coman
Thomas Dent
Henry Hyde

The witnesses to y^{e} said Indictm^{ts} being sworne and sent wth the Grand Juro^{rs}, who had their Charge given them in writing by the hono:^{ble} the Chancelour. They with Drew upon their Charge.

The Court adjourned whilst Munday morning.

The 23th of October 1671. The Court met p^{r}sent as before.

The Grand Jury sent for, appeare, and being called over, answere to their names. They make returne of the bills Delivered them before. vizt

Joshua Guibert (billa vera)

One ag^{t} Joshua Guilbert, for marking y^{e} Cattle of John Blomfeild with his owne marke. on the backside of w^{ch} they returne. (Billa Vera)

Liber J J

Humphry Joanes (Ignoramus)

One other ag^t Humphry Joanes for Ravishing of Mary Smith upon the Backside of w^{ch} they returne (Ignoramus.)

Mary Stevens (billa vera)

One other ag^t Mary Stevens for murdering her bastard Childe on the backside of w^{ch} they returne. (Billa vera)

The grand Jury goe forth to draw up their p^{r}sentm^t.

The Sheriff was Comanded to set Mary Stevens to the barre & she being arraigned according to y^e forme of the aforesaid Indictm^t ag^t her for murdering her bastard Childe, she pleaded not Guilty and for her Tryall put herself upon the Country. whereupon the Sheriff of St Maryes County delivered to the Court here a pannell of the names of the Jurours upon life and death, who being called appeare as followeth. (vizt)

Henry Parker foreman
Robert Rowlands
Thomas Warner
Humphrey Limbey
William Baker
Peter Bawcombe

James Butler
John Hunt
Thomas Tovey
Henry Bannister
Charles DeLaroch &
Vincent Atchinson

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The Clerke satisfyed the prisoner that those persons that were last called were to passe upon her life and her death, therefore if she had any thing to object ag^t them she might Challenge them or any of them as she saw them come to the booke before they were sworne.

The said Jurours being called Every man by his name answered thereunto and were Severally sworne that they should well and truly try & true Deliverance make betweene y^e Right hono:^{ble} the Lord Propr̄y and Mary Stevens prisoner at the barre, whom they should have in Charge. according to their Evidence.

The said Mary Stevens being againe arraigned & the Evidences ag^t her vizt John Coman Thomas Dent and Henry Hyde being called appeared not. the tryall of the said Mary is therefore by the Court referred whilst the next Provinciall Court and in the Interim that John Coman Thomas Dent, and Henry Hide be sumoned to appeare at the said next Provinciall Court to prosecute & give Evidence against the said Mary Stevens. & y^e said Mary to remaine in the Custody of y^e Sheriff of St Maryes County

The Jury of life and Death discharged

The Grand Inquest come into the Court, and Deliver in this following p^{r}sentment. viz^t

Maryland ss. The Jur^{os} for the Right hono^{ble} y^e Lord Proprietary for the body of this Province doe p^{r}sent.

Joseph Weekes of Kent County for that he the said Joseph, sometime in Aprill 1670, and Severall times since hath stopped up the high way upon Kent County aforesaid as by the Information of George Harris and John Wright of the same County.

Humphry Joanes and Hugh Mackmarrough of the County of St Maryes for that they the said Humphry and Hugh the 26th of December last past at Lapworth in the County aforesaid did then and there utter certeine seditious speeches against his Lopp the Lord Propry̅, and the Governor of this Province, as by the Information of John Weare of the same County Liber J J

John Nicholls of St Georges Hundred in the County of St Maryes for Enterteyning Charles Baker Servant to the hono:ble Edward ffitzherbert Esq the sixteenth day of this instant moneth of October, and Severall times sithence, contrary to the act of Assembly in that case made and provided, as by the Information of ye sd Edward ffitzherbert.

William Harper Constable of St Georges hundred in the County of St Maryes for Neglect of his office in not Serving a warrant to him Directed in June last paste, as by the Information of Edward ffitzharbert Esq.

William Greengo of St Georges hundred for Entertening william Stevens Servant to the honoble Edward ffitzherbert Esq the third day of this instant moneth of October, and Severall times Sithence, contrary to the Act of Assembly in that case made and Provided as by the Information of the said Edward ffitzherbert Esq.

In Testimoney whereof the said Jurors have hereunto subscribed this 23th day of October 1671 in the 40th yeare of his Lopps Dominion &c. p. 492

Signed by all the said Jurors with their pp hands
The Court having received the said prsentment discharged
the said Grand Jurors.

Humphrey Joanes acknowledges himself to owe unto the Right honoble ye Lord Proprietary the sume of forty pounds Sterling.

Thomas Lomax and Richard Edlin acknowledge to owe unto ye Right honōble the Lord Proprietary the sume of Twenty pounds Sterling a peice.

Upon Condition that the said Humphry Joanes shall psonally apeare before his Lordshipps Justices of the Provinciall Cort at St Maryes the first day of the next Provinciall Court, and there answere to such things as shalbe objected against him, touching Speaking of certeine wordes agt the said Lord Proprietary.

Caecilius &c To the Sheriff of the County of St Maryes greeting wee comand thee that thou omit not for any liberty in thy Baliwick but that thou cause Joshua Guibert Humphry Joanes Hugh Macknemarry John Nicholls William Harper and William Greengoe all of St Maryes County to come before our Justices of our next Provincial Court to keepe ye peace assigned, and to heare and determine all ffelonyes contempts trespasses and other misdemeanors

Liber J J in our said Province comitted at our next Provincial Court to be holden at our Citty of St Maryes the nineteenth day of December next, then and there to answere certeine Articles touching us of w^ch^ the said Joshua Guibert stands indicted and the said Humphry Joanes Hugh Macknemarry John Nicholls William Harper and William Greengo stands before our said Justices p^r^sented & have thee there this precept Witness our Deare sonne Charles Calvert Esq; our Capt Generall & Cheif Justice of our said Province of Maryland the 23^th^ day of October in the 40^th^ yeare of our Dominion &^c^ AD. 1671.

Rob: Ridgely.

Idem ad sher Kent v^r^sus Joseph Weekes ret ut supra.

Sum̄ons then issued for Tho Dent Henry Hyde & John Coman to appear & give Evidence ag^t^ Mary Stevens. ret ut supra.

Sum̄ons then issued for Peter Roberts and Clement Haly to test v^r^sus Joshua Guibert

James Lewis acknowledged himself to owe & stand indebted to the Right hono^ble^ the Lord Proprietary in the sume of fifty pounds Sterling, to be Leavyed &^c^.

George Marshall acknowledged himself to owe and stand indebted to the Right hono^ble^ the Lord Proprietary in the sume of Twenty five pounds sterling to be Leavyed &^c^.

Morgan Jones acknowledged himself to owe & stand indebted to the Right hono^ble^ the Lord Proprietary in the sume of Twenty five pounds sterling to be Leavyed &^c^.

The Condition of this Recognizance is such that if y^e^ above bounden James Lewis shall appeare at the next Provincial Court to be held at the Citty of St Maryes the nineteenth day of December next, and there answere such beinges as shalbe objected against him by the hono^ble^ W^m^ Calvert Esq; touching certeine mutinous & seditious words by the said Lewis spoken as it is said, and abyde the Censure of the Court touching the same, then this Recognizance to be voyd, otherwayes to remaine in force and vertu

p. 493 At a Provinciall Court of the Right hono^ble^ Caecilius &c held at the Citty of St Maryes the nineteenth day of December in the fortieth yeare of his said Lo^pps^ Dominion over this Province Annoque Domini 1671. before his Lo^pps^ Justices for the keeping of y^e^ peace of the said Province, and moreover for the hearing and Determining of Diverse felloneys Murders Transgressions and other misdeeds in the said Province Comitted and perpetrated assigned at w^ch^ time were Present.

His Excellency Charles Calvert Esqꝫ Cap^{t} Generall & Cheif Justice. **Liber J J**
The hono^{ble} Philip Calvert Esqꝫ Chancelor.

The hono^{ble} William Calvert
Baker Brooke and
Edward ffitzharbert Esqꝫs.

The Court being called the Cryer makes proclamac̄on Comanding all Justices of peace Coroners Stewards of Leets and libertyes, and other Officers that have taken any Inquisitions, Indicm^{ts} or Recognizances, whereby they have let any man to Bayle to put in their Records thereof that his Lo^{pps} Justices might proceed.

Justinian Gerard bound over for hogstealing, being called appeares & Comitted into the Custody of the Sheriff of St Maryes County.
George Gouldsmith to psecute
Thomas Lord & Anthony Thompson witnesses.

James Lewis bound over for seditious words, being called appeares. & Comitted into the Custody of the Sheriff of St Maryes County. The hono^{ble} W^{m} Calvert Esqꝫ to psecute

The Cryer makes proclamac̄on.
You good men that are impannelled to inquire for the Right hono:^{ble} the Lord Prop̄ry and the body of this Province, answere to your names.
The names of the grand Juro^{re} are as followeth vizt.

M^{r} Richard Smith foreman.
Robert Tyler
Thomas Sprigg
Thomas Innes
Guy White
John Gittings
Culbert ffenwick
Henry Tripp
Richard Bayley
John Bayley
John Gouldsmith.
Thomas Basset
William Moffet
John Burges
George Marshall
Morgan Jones
Tobyas Wells.
Jonathan Hopkins
Thomas Gannt.

The said Grand Juro^{rs} in number nineteene being all called & sworne according to the Tenour of the usuall oath. after w^{ch} the Attorney Generall Delivered unto them these Indictm^{ts} following. they withdraw.

Maryland ss Let it be inquired for the Right hono^{ble} the Lord Proprietary if ffrancis Tyler late of Ann Arundell County in the **ffrancis Tyler**

Liber J J Province of Maryland aforesaid the five and twentieth day of October in the yeare of our Lord God One Thousand Six hundred Seaventy and one not having the feare of God before his Eyes but being led by the Instigation of the Devill with force and armes & of his mallice p^r^pensed at the house of John Barrell on the South side of West River in the County aforesaid about the houre of Eight in the Evening in &. upon one John Beck then & there in the peace of God & y^e^ s^d^ Lord Propr̄y being feloniously did make an assault and the aforesaid John Beck with a staffe of the vallue of One penny which the said ffrancis Tyler in his hands then and there had and held, the said John feloniously did strike and gave p. 494 to the said John upon his head a certeine wound of the length of One Inch and of the breadth of One Inch and a halfe of which Mortall wound the said John Beck instantly dyed, and so the Juro^rs^ aforesayd say that the aforesaid ffrancis Tyler the 25th day aforesaid in the year aforesaid at the house aforesayd in the County aforesayd the said John Beck feloniously did slay & Kill Contrary to y^e^ peace of the said Lord Propr̄y his Rule and Dignity.

John Beck Arthur Carleton
& John Barwell witnesses.

Mary Stevens Maryland ss Let it be inquired for the Right hono^ble^ the Lord Propr̄y if Mary Stevens of St Georges Hundred in the County of St Maryes Spinster on the 25th day of July in the yeare of our Lord God One Thousand Six hundred Seaventy One being greate with Childe of a Certeine living infant in the County aforesaid by the providence of God did labour with Childe and did bring forth One living Childe, and that afterwards the said Mary Stevens by force and Armes and of her mallice before thought of did Kill and Murther the said Childe Contrary to the peace of y^e^ said Lord Propr̄y his Rule and Dignity and against the forme of the statute in that case made & provided:

John Coman Tho Dent & Hen: Hyde witnesses

Justinian Gerard Let it be Enquired for the Right hono^ble^ the Lord Propr̄y whether Justinian Gerard the fifth day of October 1671 two hoggs of the goods and Chattells of John Gouldsmith of Bramly in the County St Maryes then and there found feloniously did take Kill and Carry away Contrary to his Lo^pps^ peace his Rule & Dignity.

Anthony Thompson } witnesses.
Thomas Lord }

The respective witnesses to y^e^ foregoing Indictm^ts^ being severally called appeared and were by the Court sworne, and sent to give Evidence to the Grand Inquest.

fined 1500^lb^ Tob.
James Veitch }
Water Waterling } being retorned of y^e^ grand Jury not appearing each fined 500 ^lb Tob.^
Stephen Merly }

Liber J J W^{m} Harper

William Harper p^{r}sented last Court for neglect of his Office being Constable appearing; submitted to his fine—fined by the Court Twelve pence The said fine payd in Co^{r}t. The said Harper Discharged.

Joshua Guibert

Joshua Guibert p^{r}sented last Court for marking John Blomfeilds Cattle with the said Guiberts marke appeared by Robert Carvile his Attorney & stood upon his Traverse, Ordered by the Court that the p^{r}sentm^{t} ag^{t} the said Guibert be quashed, and that he goe thereof without day

Roger Polley

Roger Polley of Charles County being brought before this Court by virtu of y^{e} Chaunlo^{rs} warrant for intermarryeing with the slave of Richard Boughton gentl and the said Boughton not appearing to psecute Ordered by the Court that the said Polley be Discharged

John Nicholls & W^{m} Greengo

John Nicholls and W^{m} Greengo being p^{r}sented by the Grand Inquest the last Court and the Sheriff having Sumoned them to appeare to answere y^{e} p^{r}mises here this day & they appearing not Ordered that new pcesse be made out ag^{t} them

The 21th of December 1671.

p. 495

The Grand Jurors being sent for appeare, and Returne the foregoing bills vizt

ffrancis Tyler for Killing John Beck billa vera.
Mary Stevens for murdering her bastard billa vera.
Justinian Gerard for hogstealing billa vera.
The Grand Juro^{rs} Discharged.

The Sheriff of St Maryes County was Comanded to set ffrancis Tyler to the barre. who being arraigned according to the forme of the foregoing Indictm^{t}, pleaded not guilty, and for his Tryall put himself upon the Country, whereupon the Sheriff of St Maryes County retorned a pannell of the names of the Juro^{rs} of life and Death who being called appeare as followeth (vizt)

Charles Boteler foreman
William Lawrence
Peter Roberts
Clement Haly
Joshua Guibert
Nicholas Brookes
William Baker
William Greengo
Henry Cox
John Waghob
Patrick fforest
John Askin

The Clerke satisfyed the prisoner that those psons that were last called were to passe upon his life and his death, therefore if he had anything to object against them he might Challenge them or any of them as they came to the Booke.

Liber J J The said Juro^{rs} being called Every One by his name severally answered thereunto and were Respectively sworne that they should well & truly try and true Deliverance make betweene y^{e} Right hono:^{ble} the Lord Proprietary & ffrancis Tyler prisoner at the barre according to their Evidence.

The said ffrancis Tyler being againe arraigned, and the Evidences against him being called vizt John Beck Arthure Carleton and John Barwell appearing & being sworne to give Evidence ag^{t} the said ffrancis Tyler accordingly did declare their Knowledges touching the death of the said John Beck, and the said ffrancis Tyler having liberty to Speake for himself The said Juro^{rs} withdraw to Consult upon their verdict.

who imediately appearing, and the said ffrancis Tyler being set to the barr^{e}, and the said Juro^{rs} being called by their names Every man answereth thereunto, and being asked by the Clerke if ffrancis Tyler were guilty of the ffelony whereof he had beene Indicted or not guilty.

The foreman answereth—Not guilty and so they say all The Clerke demanded of the Jury if he did fly for it. they reply not to their Knowledge

The Clerk Demanded of y^{e} Jury how John Beck named in the said Indictm^{t} came by his death they say that ffrancis Tyler Killed the said John Beck with a Tobacco stick, in his own Defence.

Whereupon pclamation was made that if any pson could Informe his Lo^{pps} Justices or the Attorney Generall of any Treason murder or felony Comitted by the said ffrancis Tyler let them come forth & they should be heard for the prisoner stood at the barr^{e} upon his Deliverance, No pson appearing the said ffrancis Tyler acquitted by pclamation.

p. 496 Mary Stevens quitted by ꝑclamation Then was Mary Stevens set to y^{e} barr^{e} arraigned pleaded not guilty & for her Tryall put herself upon the Country, and the last named Juro^{rs} being called & sworn^{e} & y^{e} witnesses against her (vizt) Thomas Dent and Henry Hyde being likewise sworn^{e}, and the Court Examining the busines fully finde no proofe of the said Indictm^{t} whereupon the said Mary was quitted by pclamation

Then was Justinian Gerard brought by the Sheriff and the former indictm^{t} against him for hoggstealing being pused by the Court & found insufficient, was by the Court quashed, and Ordered that the Attorney General Draw up a new Indictm^{t} ag^{t} the said Gerard, ag^{t} the next Court and that in the Interim the said Gerard Give security to appeare here the thirteenth day of ffebruary next to answere the p^{r}mises.

Justinian Gerard acknowledges to owe & stand indebted to the Lord Propr̄y in the sum̄e of 50^{l} sterl^{g}. to be Leavyed &^{c}.

Liber J J

John Pearce & Vincent Atchinson acknowledges to owe and stand Indebted to the Lord Propr̄y in the sum̄e of 25^{l} sterl^{g} a peice to be Leavyed &t^{c}.

The Condition of this Recognizance is such that if the above bounden Justinian Gerard doe appeare at the next Provinciall Court & then & there answere to such thinges as shalbe objected against him. & stand to & abyde the censure of y^{e} Court, and in the meane time be of good behaviour then this Recognizance to be voyd & of none Effect, otherwayes to stand and remaine in force.

Humphry Joanes

Humphry Joanes being accused for mutinous words & bound over last Court & no one appearing to psecute ag^{t} him, Ordered that he be bound over to the next Court.

Humphry Joanes acknowledges to owe & stand Indebted to the Lord Propr̄y in the sum̄e of Twenty pounds sterling &c to be Leavyed &c.

Peter Roberts & Joshua Guibert acknowledge to owe & stand Indebted to y^{e} Lord Proprietary in the sum̄e of Tenn pounds sterl a peice to be Leavyed &c.

Recognizance discharged by the Court

The Condition of this Recognizance is such that if the above bounden Humphry Joanes doe appeare at the next Provincial Court & then & there answere to such things as shalbe objected ag^{t} him & in y^{e} meane time be of good behaviour then this Recognizance to be voyd, otherwayes to stand & remaine in force.

fine 500^{l} Tob

ffrancis Kilborne of Charles County retorned of y^{e} petty Jury not appearing fined five hundred pounds of Tobacco according to act of Assembly.

No Indictm^{t} being Drawn up by the Attorney Generall against James Lewis for mutinous & seditious words Ordered that the Sheriff of St Maryes County Keepe the said Lewis in his Custody till further order.

The Court Adjourned untill the thirteenth day of ffebruary next.

The 25th Day of December 1671. p. 497

His Excellency the Generall being gratiously pleased to order the Sheriff of St Maryes County to let James Lewis his prisoner goe to Bayle.

Then appeared before me Robert Ridgely Clerke of the Provinciall Court the said James Lewis and acknowledged himself to owe & stand Indebted unto the Right hono^{ble} the Lord Proprietary in the sum̄e of One hundred pounds sterling to be Leavyed of his goods & Chattells lands & Tenem^{ts} incase he shall fayle of the Condic̄on following.

Then also appeared before me Marke Cordea of y^{e} County of

Liber J J St Maryes gent John Peerce of the County of Calvert Chirurgion Bryan Dayley and Hugh Manning of the County of St Maryes planters, and did Either of them by themselves respectively acknowledge to owe unto the Lord Propry the sume of five & Twenty pounds sterling a peice to be Leavyed &c.

The Condition of this Recognizance is such that if the above bounden James Lewis shall appearce at the next Provinciall Court to be holden at the Citty of St Maryes the thirteenth day of ffebruary next and then and there answere to such thinges as shalbe objected agt him by the honoble William Calvert Esqr, and stand to and abyde ye Censure of ye Court in that behalfe and in the meane time to be of good behaviour then this Recognizance to be voyd & of none Effect otherwayes to stand Remaine and be in full force & vertu.

Taken & acknowledged before me ye day & yeare
abovesaid Robert Ridgely Cler Cur Province.

At a Provincial Court of the Right honoble Caecilius &c held at the City of St Maryes the thirteenth day of ffebruary in the fortieth yeare of his said Lopps Dominion over this Province, Annoque Domini 1671 [1672], before his Lopps Justices for the Keeping of the peace of the said Province, and moreover for the hearing and Determining of diverse fellonyes, murders Transgressions and other misdeeds, in the said Province Comitted and perpetrated, assigned at which time were present.

His Excellency Charles Calvert Esqr Capt Generall & Cheif Justice
The hono:ble Philip Calvert Esqr Chancelour
The honoble William Calvert and Edward ffitzherbert Esqrs

The Court being called, The Cryer makes proclamation, Comanding all Justice of Peace Coroners Stewards of Leets and libertyes and other Officers that have taken any Inquisitions Indictmts, or Recognizances, whereby they have let any man to bayle to put in their Records thereof that his Lopps Justices might proceed.

Edward Clerke — Edward Clerke Servant to Thomas Spinke bound over to this Court for that he falled a Tree & by accident it fell upon an unknown pson & Killed him. The said Edward Clerke was acquitted by pclamation

p. 498 The 14th of ffeb: 1671 [1672].

Present as before and Baker Brooke Esqr.

Justinian Gerard — Justinian Gerard being called—appears Comitted to the Sheriff of St Maryes County.

Humphry Joanes — Humphry Joanes his Recognizance discharged by the Court

Liber J J

James Lewis being called appeares, and was by the Court Comitted into the Custody of the Sheriff of St Maryes County, but upon his Knees humbly begging pardon of his Excellency & the Court, and in pticular of the hono:ble Wm Calvert Esq for the lavishnes of his Toung, the Court was gratiously pleased to remit his offence, whereupon the said Lewis was acquitted by proclamation, and the Court discharged him paying his ffees.

The sheriff of Charles County Delivers up ye Prisoners for Robbing Mr. Allen

The Sheriff of Charles County Delivered up to the Court here Richard Robinson Philip Lynes George Taylour Ellen Taylour Robert Clerke and Mary Clerke his prisoners to him Comitted for felony, who were all by the Court Comitted to the Sheriff of St Maryes County.

The Cryer makes proclamac̃on

You good men that are impannelled to inquire for the Right hono:ble the Lord Proprietary and the body of this Province answere to your names

The names of the Grand Jurors are as followeth.

Mr Thomas Mathewes foreman
John Blomfeild
William Watts
Marmaduke Symms
Thomas Bennet
John Nuthall
Bryan Dayley
Thomas Spinke
Caleb Baker
William Thomas
George Charlesworth
John Balley
Thomas Griffin
George Beckwith
John Goldsmith
Edward Dubury.

Peter Roberts fined 500l Tob

Then was Peter Roberts of St Maryes County one of the Grand Jurours Fined for not appearing upon call five hundred pounds of Tobacco.

The said Grand Jurours in number sixteene being all called appeared and were sworne according to the usuall oath after which the Attorney Generall Delivered unto them these Indictmts following (vizt)

Justinian Gerard

The Jurours for the Right honoble the Lord Proprietary upon their oathes doe prsent Justinian Gerard of the County of St Maryes for that the said Justinian Gerard Two hoggs of the goods and Chattells of John Gouldsmith of the County of St Maryes at Bramley in the aforesayd County did take Kill and carry away the fifth day of October in the fortieth yeare of his Lopps Dominion &c Annoque Domini 1671, Contrary to the forme and Effect of a certeine Act of Assembly in that case had made and provided and against the peace of his said Lopps Rule and Dignity.

Liber J J
Philip Lynes
p. 499

The Jurours for the Right hono^{ble} the Lord Proprietary of this Province doe p^{r}sent that Philip Lynes of Charles County within this Province planter the sixth day of January in the nine & thirtieth yeare of his Lo^{pps} Dominion Annoqȝ Domini One Thousand Six hundred and Seaventy by force and Armes that is to say with staves swords and Knives the storehouse of one John Allen of the same County Marchant feloniously burglarly and in the night did breake and Enter the said storehouse at Portobacco Creeke in the County aforesayd, and other Injuryes to the said John Allen then & there did to the great Damage of him the said John Allen, and against the peace of the said Lord Proprietary his Rule and Dignity

Richard Robinson

The Jurours for the Right hono^{ble} the Lord Proprietary of this Province doe present that Richard Robinson of Charles County within this Province Planter the sixth day of January in the nine and thirtieth yeare of his Lo^{pps} Dominion annoque Domini 1670 by force and armes that is to say with staves swords and Knives, one payer of weomens shoes to the vallue of Two shillings eight pence six Ells of holland to the vallue of fower and Twenty shillings two peices of six penny Ribbon to the vallue of fifteene shillings, one peece of three penny broad Ribbon to the vallue of foure shillings six pence foure yards of Red Cotton to the vallue of foure pence, six Cakes of soape to the vallue of three shillings three pence, ten gallons of brandy to the vallue of six & thirty shillings and Eight pence, one, Dozen Bottles of Canary wine, to the vallue of fower and twenty shillings, nine Ells of wide Dowlas to the vallue of Eighteene shillings two payer of ffrench ffalls to the vallue of six shillings, three bottles of brandy to the vallue of two shillings and six pence five pounds of sugar to the vallue of Two shillings and one penny, One peck of flower to the vallue of one shilling Eight pence, one payer of weomens shoes to the vallue of two shillings Eight pence, one bottle of brandy to the vallue of Tenn pence six Ells of Canvas to the vallue of six shillings six pence, three bottles of brandy to the vallue of Two shilling six pence, Tenn Ells of holland to the vallue of forty shillinges six pounds of sugar to the vallue of Two shillings six pence Two bottles of brandy to the vallue of one shilling Eight pence five pounds of sugar to the vallue of two shillings & one penny fower Ells of Dowlas to the vallue of Eight shillings, of the goods & Chattles of one John Allen of the County of Charles County aforesayd Marchant found feloniously did take steale & carry away against the peace of the said Lord Proprietary his Rule and Dignity. And that Philip Lynes of the said County of Charles County planter, George Taylour of the same County planter, Ellen the wife of the said George Taylour spinster Robert Clerke of y^{e} same County Planter & Mary the wife of the said Robert Clerke spinster, did feloniously incite councell and abet

Philip Lynes
George Taylour
Ellen Taylour
Robert Clerke
Mary Clerke

the said Richard Robinson to the Comitting of the felony aforesayd in forme aforesayd, against the peace of the said Lord Proprietary his Rule & Dignity. Liber J J

And the Attorney Generall caused the Cryer to call the Respective witnesses to the said severall Indictmts, and in open court caused them to be sworne to Deliver the truth of their respective Knowledges, concerning the same the Grand Jurors, and then the Grand Jurors withdrew into a private Roome to Consider of the same.
The Court Adjourned untill to morrow morning nine a Clock.

The 15th of ffebruary 1671 [1672]. p. [499a]
Present as before
Then was Charles Budd Robert fford and Robert Ward sworne in open Cort to give in Evidence against Richard Sheppey for hogstealing to the Grand Jurors.

Then was Thomas Whyniard & Ann Norman of Ann Arundell County acquitted from hogstealing by proclamation. Tho: Whyniard Ann Norman

The Court adjourned whilst to morrow morning Eight a clock.
The 16th of ffebruary 1671
Present as before.
The Sheriff of Kent County Returned his writ agt Joseph Weekes who was prsented for stopping up the high way upon Kent, the said Joseph Weekes appeares, and traverses the said prsentmt Joseph Weekes
And upon the motion of Mr Morecroft the said prsentmt was quashed by the Court for the incerteyntyes thereof.

The grand Jurors appeare being called answere to their names, and retorne the Indictmt agt Philip Lynes for felony & Burglary thus Endorsed (vizt) (Billa Vera.) Grand Jury Depart.
The Sheriff of St Maryes County was comanded to set the said Philip Lynes to the barre, who being arraigned according to the forme of the foregoing Indictmt against him, pleaded not guilty and for his Tryall put himself upon the Country, whereupon the Sheriff of St Maryes County returned a pannell of the names of the Jurors of life & Death who being called appeared as followeth (vizt)

James Neale Junr
George Walker
Tho Hussey
Henry Moore
Nicholas Guither
Randall Revell
William Whittle
John Barnes
Leonard Greene
Thomas Bowdle
William Smith
William Claw

Then was Robert fford of St Maryes County and Thomas Warner of Charles County fined five hundred pounds of Tobacco Each for being retorned of the Petty Jury and not appearing.

Liber J J The Clerke satisfyed the prisoner that those p^{r}sons that were last called were to passe upon his life and his Death, therefore if he had any thing to object against them or any of them he might Challenge them as he saw them come to the booke.

The said Juro^{rs} being called Every one by his name severally answered thereunto & were respectively sworne that they should well and truly try and true Deliverance make betweene the Right hono^{ble} the Lord Proprietary and the prisoner at the barre whom they should have in Charge according to their Evidence.

p. [499b] The said Philip Lynes being againe araigned, and the Evidence against him being sworne (vizt Richard Robinson) to give Evidence to the Co^{rt} & the Jury touching the p^{r}mises. he declared the same upon oath the prisoner having also spoke for himself, and the Court having summed up the matter and given it in Charge to the Jury, the Jury withdrew to consider of their verdict.

who imediately Returning, and the said Philip Lynes being set to the barre, and the said Juro^{rs} being Respectively called by their names Every man answered thereunto. and the Clerk Demanded of them if Philip Lynes were guilty of the felony & burglary whereof he stood Indicted or not Guilty the said Juro^{rs} answered (not Guilty) nor that he did ffly for it.

The prisoner being cleared of this Crime was againe by the Court continued in the Sheriff of St Maryes Custody to answere another Indictm^{t} preferred against him this Court.

Then did the Grand Juro^{rs} Retorne the Indictm^{t} against Justinian Gerard for hogstealing Endorsed thus—vizt (Billa vera)

Then also did they retorne the Indictm^{t} against Richard Robinson before recited as principall & Philip Lynes George Taylo^{r} Ellen Taylour Robert Clerke and Mary Clerke as accessaryes Endorsed thus (Billa Vera)

Then also did they Exhibite to the Court this p^{r}sentm^{t} following vizt

Maryland ss The Juro^{rs} for the Right hono:^{ble} the Lord Proprietary of this Province for the body of this Province being sumoned, and sworne the thirteenth day of this Instant month of ffebruary in the 40th yeare of his Lo^{pps} Dominion &c upon their oathes doe p^{r}sent

Richard Sheppey of St Clements Hundred in the County of St Maryes planter for hoggstealing the 21th day of January last past by the informac̄on of Charles Budd Robert Ward & Robert fford of the same County planters.

Thomas Paine of St Michaells Hundred in the County of St Maryes for stopping up the passage to the waterside to St Jeromes Creeke the sixth day of this instant month of ffebruary formerly accustomed to be used by severall people of the same hundred By the informac̄on of William Claw of the same hundred. Liber J J

Amy Markes of Poplar Hill in St Maryes County Spinster for having a bastard Childe the 31th day of January last paste by the informac̄on of Thomas Bennet of the same hundred.

The said Presentmt was signed by the proper hands of the aforenamed Grand Jurors sixteene in Number, and by them Exhibited into Court the Court upon Receiving of ye same Discharged the said Grand Jurors.

Then was Richard Robinson Philip Lynes George Taylour Ellen Taylor Robert Clerke & Mary Clerke set to the barre, and were araigned of ye said felony according to the forme of the foregoing Indictmt, and Severally pleaded not guilty and for their tryalls put themselves upon the Country and the Jurors of life and Death being called that is to say James Neale Junr George Walker Thomas Hussey Henry More Nicholas Guither Randall Revell William Whittle John Barnes Leonard Greene Thomas Bowdle William Smith & William Claw, and the prisoners making no objection against them they were all Respectively sworne according to the Tenor of the usuall oath, and the Evidence against them being called that is to say Peter Jacobsin & John Allen, and the said Peter being p. 500 a youth & not capable of an oath was not sworne, but the said John Allen being sworne, and giving Evidence to the Court and the Jury touching the Fellony aforesaid of wch the prisoners stood indicted & the Jurors having fully heard the same & what the prisoners could say for themselves the Jurors withdrew to Consult of their Verdict,

who imediately Retorning, Richard Robinson Philip Lynes George Taylour Ellen Taylour Robert Clerke & Mary Clerke being set to the barre, and the Jurors being asked if Richard Robinson were guilty of the felony whereof he stood indicted or not guilty, the Jurors answered not guilty—whereupon the principall Robinson being acquitted the Jury were not asked as to the accessaryes—but proclamation was imediately made that if any manner of person could informe the Court or the Attorney General of any Treason Murder or felony comitted or done by Richard Robinson Philip Lynes George Taylour Ellen Taylour Robert Clerke or Mary Clerke or any of them now Prisoners at the barre let them come forth and they should be heard for the prisoners stood at the barre upon this Deliverance. wch being made three times in open Court & no one appearing, It is ordered by the Court that although the prisoners are acquitted by proclamac̄on they shall not be discharged but in Reguard the Crime for wch they were Indicted by apparent circumstances Seemed to the Court to have beene Really comitted by them, and that the Jury acquitted them only for want of some Evidence, that the said Richard Robinson Philip Lynes George Taylour Ellen Taylour Robert

Liber J J Clerke & Mary Clerke continue & Remaine in the Custody of the Sheriff of St Maryes County untill they shall give in security Each of them in ten pound a peice & their Securityes in five pound a peice to appeare at a Provincial Court to be held at the Citty of St Maryes in Aprill w^{ch} shalbe in the yeare of our Lord 1673. and in the meane time that they be of the good behaviour.

The Court accepts of Mr Benjamin Rozer Security for Philip Lynes the said Philip bound in 10^{l} sterl^{g} & the said Rozer in 5^{l} sterl^{g}.

Richard Robinson being a servant to M^{r} John Allen, the said Allen became bound for the said Robinson to the Lord Proprietary in the sum̄e of Tenn pounds, and Henry Phipps gent^{l} his security in the Sum̄e of five pounds sterling.

Robert Clerke & } bound to the Lord Propr̄y according to the said
Mary his wife } ord^{er} of Court in 20^{l} sterl^{g}. to be Leavyed &c

Thomas Mathews and Tho Hussey their security bound in tenn pound sterling a peice for their pformance of the said ord^{r}.

George Taylour & Ellen his wife bound to the said Lord Propr̄y ut supra in the sum̄e of 20^{l} sterling to be leavyed &c.

Henry More & William Whittle their security bound in Tenn pounds sterling a peice for their pformance of the said ord^{er}.

p. 501 Then was the Sheriff of St Maryes County comanded to bring Justinian Gerard into the Court, and the foregoing Indictment being Read to him, and he being admitted by the favour of the Court to have John Morecroft one of the Attorneys of this Court to be of his Counsell the said John Morecroft put in this following plea for and on the behalfe of the said Justinian here present in Court (vizt)

And the sayd Justinian Gerard by John Morecroft his Attorney Especially admitted by the favour of the Court, cometh and prayeth the hearing of the said Indictm^{t}, and it is Read unto him, which being read & heard the said Justinian saith that the Lord Proprietary by Collour of the premises in the said Indictm^{t} mentioned him the said Justinian Trouble and unquiet, neither will not nor ought because he the said Justinian by Protestation saith that the said Indictm^{t} is not sufficient in Law for him the said Justinian to be put to answere unto Notwithstanding for plea he saith, that as to the takeing Killing and carrying away of the said Two hoggs of the said John Gouldsmith in the said Indictm^{t} mentioned, or any thing contrary to the said Act of Assembly or against the peace of the said Lord Proprietary the said Justinian is in no wise guilty in manner and forme as by the said Indictm^{t} above is supposed & of this he puts himself upon the Country.

Liber J J

And the said Attorney Generall Vincent Lowe Esqꝫ who aswell &c likewise. wherefore Comand is given to the Sheriff of St Maryes County that he cause to come twelve &^{c} by whom the issue Joined may be tryed because aswell &c.

And the Juro^{rs} of that Jury came to wit James Neale Jun^{r} George Walker Thomas Hussey Henry More Nicholas Guither John Barnes Leonard Greene Thomas Bowdle William Smith William Claw, Daniel Clocker & Walter Waterlin, who being Elected tryed & sworne to say the truth in the p^{r}mises. upon their oathes doe say that the said Justinian Gerard is not Guilty of the hoggstealing in the said Indictm^{t} mentioned, whereupon the said Justinian Gerard was acquitted by proclamac̄on. & the Court discharged him paying his ffees.

Justinian Gerard acquitted

Then was Randall Revell of Somerset County one of y^{e} Juro^{rs} betweene y^{e} Lord Proprietary & the said Gerard not appearing fined 500^{l} Tob.

fine 500^{l} Tob

Then was also William Whittle of St Maryes County fined 100^{l} of Tob for being Drunke in Court.

fine 100^{l} Tob

Then was John Glover of Charles County acquitted by pclamation for accidentally Killing John Brimblecum, and by the Court discharged

Then came John Nicholls of St Maryes County & pleaded not guilty as to the p^{r}sentm^{t} against him in October last. & the same was put in Respit untill the next Court.

John Nicholls

Then was Richard Sheppey for hogstealing p^{r}sented by the grand inquest for the same comitted into the custody of the Sheriff of St Maryes County

Then was Charles Budd & Robert Ward both of St Maryes County bound in a Recognizance of 20^{l} sterling a peice, to psecute y^{e} said Richard Sheppey for hogstealing the next Provincial Court.

Venire fac then issued to the Sheriff of St Maryes County to Comand him to cause to come before y^{e} Justices of this Court the next Court to wit the ninth day of Aprill next W^{m} Greengo Richard Sheppey Thomas Paine & Amy Markes, to answere what they are severally p^{r}sented for

At a Provincial Court of the Right hono:^{ble} Caecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord p. 502

Liber J J

Baron of Baltamore &c held at the Citty of St Maryes the ninth day of Aprill in the fortieth yeare of the Dominion of his said Lordship over this Province of Maryland Annoque Domini 1672 before his Lordships Justices for the Keeping of the peace of y^{e} said Province, and moreover for the hearing and Determining of diverse felonyes murders Transgressions and other misdeeds in the said Province Comitted and perpetrated assigned at which time were p^{r}sent

His Excellency Charles Calvert Esqꝫ Capt Generall and Cheif Justice

The hono^{ble} Philip Calvert Esqꝫ Chancelor.

The hono^{ble} William Calvert
Baker Brooke
Samuell Chew &
Edward ffitzherbert Esqꝫs Justices

The Court being called the Cryer makes proclamac̄on.

Comanding all Justices of peace Coroners Stewards of Leets and libertyes & other officers that have taken any Inquisitions Indictm^{ts} or Recognizances whereby they have let any man to bayle to put in their Records thereof that his Lordships Justices might proceed.

Ann Pattison

Ann Pattison of Ann Arundell County for murdering her bastard Childe brought into Court by the Sheriff of y^{e} same County & by the Court Comitted to the Sheriffe of St Maryes County.

Richard Sheppey

Richard Sheppey of St Maryes County for hogstealing & his p^{r}secuto^{rs} appearing ordered by the Court that an Indictm^{t} be drawne ag^{t} him.

St Maryes County

W^{m} Greenegoe
Amy Markes &
John Nicholls appearing & no psecution ag^{t} them acquitted by proclamation

Thomas Paine

Thomas Paine of St Jeromes p^{r}sented the last Court for stopping up the high way appeares by John Morecroft his Attorney & pleads not guilty and imparles untill the next Co^{rt}.

Humphry Joanes of St Maryes County appeares & no prosecution ag^{t} him therefore was acquitted by pclamation.

The Cryer makes proclamac̄on.

You good men that are Impannelled to Enquire for the Right hono:^{ble} the Lord Proprietary and the body of this Province answere to your names.

The names of the grand Juro^{rs} are as followeth. Liber J J

W^{m} Hemsely foreman
Richard Royston
William Leeds
George Wells
Miles Gibson
John Lee
Richard Whittey
W^{m} Barton
George Newman
Richard Morrice
W^{m} Slade
John Taylour
Benjamin Wells
Richard Snowden
Henry Neale
Marke Cordea
Thomas Basset
Richard Ladd
William Worgan &
William Morgan &
W^{m} Lawrence
Twenty in all

Then was Edward Beedle of Baltamore County, W^{m} Marshall of Charles County ffrancis Hill of St Maryes County, Thomas Paget & Charles Ascomb of Calvert County being retorned of the Grand Jury & not appearing upon call fined Each man five hundred pounds of Tobacco. 2500^{l} fine p. 503

The said Twenty Grand Juro^{rs} first named appearing being all Called & sworne according to the Teno^{r} of the usuall oath the Attorney Generall delivered unto them these Indictm^{ts} following vizt.

The Juro^{rs} for the Right honoble the Lord Proprietary upon their oathes doe p^{r}sent that Ann Pattison late of South River in the County of Ann Arundell Spinister being greate with Childe of a certeine living infant the xvith day of March in the fortieth yeare of his said Lo^{pps} Dominion at South River aforesayd in the County aforesayd by the providence of God did labour with Childe, and Did bring forth a certeine living Childe borne alive secretly and without the Company of any other weomen, and that afterwards the said Ann by force and Armes and of her mallice before thought the said sixteenth day of March in the fortieth yeare of his said Lo^{pps} Dominion &c the said Childe so borne alive, and in a naturall being did make an assault and then and there feloniously did Kill so the said Ann aforesayd the said Childe of her mallice fore thought feloniously & voluntaryly did murther, Contrary to the peace of the Lord Proprietary his Rule & Dignity. Ann Pattison

John Taylor. Johanna Taylor

The Juro^{rs} for the Right hono^{ble} the Lord Proprietary upon their oathes doe p^{r}sent that Richard Shippey of St Clements Hundred in the County of St Maryes planter for that the said Richard Shippey one hogg of the goods & Chattells of Charles Budd of the County of Calvert in the said County of Calvert did take Kill and Carry away the one & twentieth day of January last paste in the fortieth year of his Lo^{pps} Dominion Annoque Domini 1671, Contrary to the forme and Effect of a certeine Act of Assembly in that case had Richard Shippey

Liber J J made & provided and against the peace of his said Lo^{pps} Rule and Dignity. Charles Budd and Robt Ward

The Juro^{rs} for the Right hono^{ble} the Lord Proprietary upon their oathes doe p^{s}ent that whereas by the Law and Custome of England every man is alwayes bound Safely & Securely to Keepe his Chattell & Chattells least by such like living creatures and Chattles Damage may any wayes happen to his Neighbours. Nevertheles one
Tobyas Miles
Tobyas Miles of the Clifts in the County of Calvert the Law and Custome aforesayd not Regarding the sixth day of May in the yeare of our Lord 1671 at the Clifts in the County aforesayd Knowing a certeine Dogg accustomed to bite men, and so negligently and unduly did Keepe that Dogg that the said Dog the sixth day of May in the yeare aforesayd, did greviously bite & sorely wound one Sarrah Carre of the Clifts in the County aforesayd upon the Arme and other parts of her body to the great Damage of the said Sarah Carre and against the peace of the Lord Proprietary his Rule and Dignity. Sarah Carre.

The Grand Juro^{rs} withdraw to Considder of the said bills, and the respective witnesses to the same being called appeare & are sworne in Court & sent to give Evidence for the Grand Jury.

The Court Adjourne untill the morrow morning.

p. 504 The 11th of Aprill 1672

Present as before.

The grand Juro^{rs} come into Court and being called appeare all Except Marke Cordea who having absented himself from his fellow Juro^{rs} without license of the Court was by the Co^{rt} fined five hundred pounds of Tobacco.
500 Tob. fine

The said Grand Juro^{rs} make Returne of the severall Indictm^{ts} to them comitted by the Court for their Consideration as followeth (vizt)

On the backside of y^{e} Indictm^{t} ag^{t} Ann Pattison (Billa vera)
On the backside of Tobyas Miles Indictm^{t} (Billa vera)
On the backside of Richard Shippey's Indictm^{t} (Ignoramus)

Then was the grand Juro^{rs} Discharged.

Richard Shippey
Then was Richard Sheppey set to the barre and was acquitted by proclamacon and discharged by the Co^{rt} accordingly

Then was Ann Pattison set to the barre & arraigned upon the foregoing Indictm^{t} ag^{t} her, and upon her arraignm^{t} she pleaded not Guilty & for her tryall put her self upon the Country, wherefore com̃and was given to the Sheriff of St Maryes County that he cause to come twelve &c by whom &c to make a certeine Jury imediately to try the said Ann Pattison for the fact aforesayd and the said Sheriff returnes here into Court a pannell of the said Juro^rs^ names to wit Richard Smith George Charlesworth Daniel Clocker Thomas Hussey John Bayley Vincent Atchinson Curtis ffletcher John Nuthall Mathias Decosta Caleb Baker ffrancis Gunby & John Barnes. who to say the truth in the p^r^mises being elected tryed and sworne, and the Evidences ag^t^ the said Ann being likewise sworne & delivering their Evidence ag^t^ her, and the said Ann speaking for herself the said Juro^rs^ upon their oathes doe say that she is not Guilty of the felony & murder whereof she stands indicted nor that she did fly for it, and so they say all whereupon the said Ann Pattison was acquitted by pclamation & by the Court discharged. Liber J J

Then was Richard Prigg of Calvert County overseere unto M^r^ George Beckwith Comitted into the Custody of the Sheriff of St Maryes County for felony by him safely to be Kept in Irons untill the next Co^rt^. Walter Quinton Tho Weekes & Jn^o^ Owen witnesses Richard Prigg

Venire fac was then issued to the Sheriff of Calvert County to comand him to cause Tobyas Miles to come before the Justices of this Court the next Provincial Court to answere the Trespas whereof he stands Indicted. Tobyas Miles

The Court Adjourned untill the 11th day of June next p. 505

Maryland ss. By his Excellency The Cap^t^ Generall.

Whereas in April Court last Marke Cordea of St Maryes County one of the Grand Jury for not appearing with his fellow Juro^rs^ upon call was by the Court fined five hundred pounds of Tobacco, and whereas also ffrancis Hill for the same Cause was fined five hundred pounds of Tobacco also, These are to Certify you that I have remitted the fines of the said Marke Cordea & ffrancis Hill, and doe hereby ord^r^ you not to Estreate the same, and for so doeing this shalbe yo^r^ warrant Given und^r^ my hand this 5th day of September in the 41th yeare of the Dominion of Caecilius &c Annoque Domini 1672

To Robert Ridgely Clerke of the Provincial Court } Charles Calvert

10th Sept 1672 ffees posted

At a Provincial Court of the Right hono:^ble^ Caecilius absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltamore &c held at the City of St Maryes the first day of October in the 41th year of the Dominion of his said Lordship over this Province of Maryland Annoque Domini 1672 before his Lo^pps^ Justices for the Keeping of y^e^ peace of the said

Liber J J Province, and moreover for the hearing & Determining of Diverse ffellonyes murders Transgressions & other misdeeds in the said Province Comitted & perpetrated assigned at which time were p^{r}sent.

The honorable
Philip Calvert Esqꝫ Chancelo^{r}.
William Calvert
Samuell Chew.
Edward ffitzherbert &
Thomas Truman
Esqꝫs

The Court being called the Cryer makes proclamac̄on

Comanding all Justices of peace Coroners, Stewards of Leets & libt̄yes and other Officers that have taken any Inquisitions Indictm^{ts} or Recognizances whereby they have let any man to bayle to put in their Records thereof that his Lo^{pps} Justices might pceed.

John Griffeth John Griffeth for fellony appeares being called Comitted to the Sheriff of St Maryes County

Thomas Paine bound over to psecute him likewise appeares.

James Lewis James Lewis for slanderous words &c being called appeares Comitted likewise to the Sheriff of St Maryes County.

The Co^{rt} being informed that the said Lewis being bound by Recognizance to the good behaviour, had severall times since broke the said Recognizance It is ordered that Thomas Doxey & Richard Atwood his security be sumoned against the next Co^{rt} to show cause why the said Recognizance should not be Estreated.

security to be sumoned

Co^{rt} Adjourned till two a clock
in the afternoone.

p. 506 The Court met as in the morning & the Grand Jury being Called appeares.

Foreman Garrat Vanswearingen
George Marshall
Curtis ffletcher
Leonard Greene
Edward Roe
Tobyas Wells
Daniel Clocker
George ffenwick
Jeremy Eaton
Daniel Browne
Daniel Devine
Hugh Manning
Christopher Nutter
Christopher Barnes
Henry Smith
ffrancis Jenkins.

who being sixteene in Number were all sworne according to the Tenour of y^{e} usuall oath. and Receiving their Charge withdrew to Consider of such bills as should be p^{r}sented them.

Then did the Court ord^{r} that Thomas Jones of Som^{r}set County (being accused for severall thinges done beyond his Commission) should have subpena's for his witnesses. Liber J J

The Court Adjourned whilst to morrow morning.

The 2d of October 1672

The Court met p^{r}sent as before.

The Grand Jury come and attend y^{e} Co^{rt}. & p^{r}sent these papers following.

The Juro^{rs} for the Right hono^{ble} the Lord Proprietary upon their oathes doe p^{r}sent that John Griffeth late of St Michaells hundred in St Maryes County laborer y^{e} Second day of September in the 41th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1672 by force & armes that is to say with staves swords & Knives one hoe of the vallue of six pence sterling of y^{e} goods & Chattells of One Thomas Paine of St Michaells hundred in the County of St Maryes aforesayd gent^{l} found feloniously did take Steale & Carry away against y^{e} peace of the said Lord Proprietary his Rule & Dignity John Griffeth

Vincent Lowe.

Nicholas Guither }
Morgan France }

On the backside of the said bill was this written. Billa Vera.

Then was the said John Griffeth set to the barre & being araigned pleaded not guilty, and for his Tryall put himself upon the Country. and the Sheriffe of St Maryes County retorning the names of the Juro^{rs} of life & Death who being called appeare as followeth. that is to say Joseph Chew Bryan Dayley John Grammer William Dunkerton Thomas Walker Alexander Draper Abell James William King Demetrius Cartwright Arthur Wright John Warren & Ignatius Warren who to say the truth in the p^{r}mises being Elected tryed & sworne & the witnesses being upon Oath having Delivered their Evidence to the Court & the Jury and the prisoner having spoke for himself, the said Juro^{rs} upon their oathes doe say that the said John Griffeth is not guilty of the fellony whereof he hath beene arraigned & so they say all whereupon the said John Griffith being set to the barre was acquitted by pclamation, and Discharged by the Court paying his ffees.

The 4th of October 1672 Present as before. p. 507

Then came the Grand Juro^{rs} into the Co^{rt} & psented these bills following Endorsed as followeth.

1° of October 1672

Liber J J M^{r} Attorney Generall.

By virtu of the Act of Assembly ag^{t} the Transportation of horses & Mares into this Province I did Cause six Mares to be seized at the Hore Keele the 24th of August last being Transported to the Hore Keele by one Peter Hance a Dutchman about the 21th day of August last was twelve moneth I have my witnesses Ready to come to tryall Either for the acquittall or Condemnac̄on this in the behalfe of the Right hono^{ble} the Lord Proprietary is informed by yo^{r} humble servant Thomas Jones.

Endorsed Ignoramus.

Articles of Complaint Exhibited by Thomas Jones to his Excellency Charles Calvert Esqꝫ Governo^{r} the hono:^{ble} Philip Calvert Esqꝫ Chancelo^{r} and the Rest of his Lo^{pps} Privy Council ag^{t} Henry Smith one of his Lordships Justices of peace for Som^{r}set & also for Worcester Countyes.

Imp^{rs} That the said Henry Smith during the time of his being Justice of peace in Som^{r}set County aforesayd hath obstinately & Contemptuously Kept an unlicensed Ordinary contrary to Law for the Space of Two yeares last past untill the fourth day of September last past in contempt of the Governm^{t} & authority of this Province

Item That the said Henry Smith having arrested one Stephen Whitman for Speaking seditious words in his house let the said Whitman to Bayle of One single pson whereby the said Whitman is now escaped & fled this Province & so hath Escaped Justice.

Item that the said Henry Smith being a Justice of peace and having one Charles Wix a Bricklayer a Runnaway servant belonging to one Doctor in James River delivered to his Custody to be sent to his Master the said Smith deteined him in his Custody not sending him home with other his fellow servants Runnawayes. Notwithstanding his Master writ to the said Smith to send him home psuading the servant he would free him to the Encouragem^{t} of the serv^{t} & wrong of his Master, and hath Kept him at worke for the space of Two moneths, & still doth Keepe him.

Item that one Christopher Nutter having taken up Two men with their swords and other Armes Runnawayes and intending to Carry them to the next Justice of peace Mr Ballard as the Act of Assembly requires the said Smith hearing thereof Sent a warrant for the said Runnawayes Kept the said Nutter prisoner at his owne house the said Nutter asking him how long he should stay the said Smith said During the said Smiths pleasure, and after y^{e} said Nutter had beene prisoner Severall houres he went away, then the said Smith sent hue & Cry after him for breaking prison upon w^{ch} the said Nutter being taken the said Smith by Mittimus sent him to prison to the Sheriff of Somerset County for breaking Prison.

Item That the said Henry Smith in the Exercising the said office of

Justice of peace in Somerset County doth Exercise an Arbitrary power over the Good people there with such Great Rigour & Extremity, that many of the Inhabitants groane undr it. Liber J J p. 508

That at my the said Jones being at the hore Keele in Worcester County the sd Smith did openly declare that he would not obey the millitary power there whereupon Diverse deserted their Comandrs. and if any supply had beene sent the Dutch that opposition had beene made wee had all been Ruined wch words the said Smith hath since used, and further sayd he would be Cesar aut nihil.

That whereas his Excellency had apointed & ordered the surveyor ffrancis Jenkins should lay out at the Hore Keele Neck a mile square for a Towne according to the Directions of the Justices of ye County the said Henry Smith & ffrancis Jenkins by Combination & Confederacy together that notwthstanding the Directions of the Justices the said Jenkins did Layout for ye mile or ye Towne in other manner then the Justices had Directed saying he would lay out the Towne where he listed himself, And by Covin betwixt him & ye said Smith the said Jenkins survey'd six hundred Acres of land for ye said Smith where the Towne should have beene After wch the said Smith passed the same over to the said Jenkins, whereupon the said Thomas Jones prayeth the discretion of the honoble Board, and that the said Henry Smith may be Required to answere to the prmises. Item

Tho: Jones.

Endorsed Ignoramus.

These are humbly to informe yor Excellency that Capt Thomas Jones did wth six or seaven men goe up to the Hore Keele where he first caused all ye Dutchmen to be bound then opened their Chests taking severall furres & two Blankets, and some Powder the wch he ordered to be throwne into ye River and Dranke their Anniseed Water this by Information.

Upon August the 22th wee did see him bring into the Guard (with others he Employed) Deere skins Wampum Peake Blankets Trading Cloth powder pipes Knives looking glasses, with severall ffurrs wee suppose to the vallue of sixty pounds sterling.

Also the said Thomas Jones did upon the 21th of August ride up to one Robert Catlin and Drew his sword calling him ould Rouge and Dogg with other Scurrilous Exprssions, and Runn his sword thorow his Cloathes to his skynn only for accidentally carryeing us a little out of ye way.

That he did upon the 23th of August when Complaint was made to me as being one of his Lopps Justices of ye Peace for his taking a way a pound of Powder from an English man wch he Kept for his Defence and had Retorned not much above halfe did Reply that if I the said Smith had so much there he would seize it giving me the ly with many other Scurrilous Exprssions and threats declaring he

Liber J J would not show his Commission to such a one as I was. That upon August y^e^ 24th after my Depture did Cause Daniel Browne by a warr^t^ to seize two of my Mares with severall others Notwithstanding they had been there as by Information at least two yeares.

That the said Thomas Jones being Sheriff of Som^r^set County did at a Co^rt^ held in August p^r^sent an under Sheriff to the Co^rt^ Declaring that he did not intend to sweare him, but since the Court suffered him to be abused he would sit with them no More, and if they would p. 509 not sweare him he would, he also declared that he would goe No more to Court for he had provided an under officer good Enough to scold with the Com^rs^ of the Court, that an ord^r^ of Court sent to him to Execute as Sheriff he did in p^r^sence of some Gentlemen of Virginia Refuse & flung it back againe to the bearer. all w^ch^ with many other abuses doth dissincourage most people to seate these pts.

Hen: Smith: Fr: Jenkins.
Endorsed (Billa vera)

Richd Moy The Grand Jury in the behalfe of the Right hono^ble^ the Lord Proprietary of this Province doth p^r^sent Richard Moy of the Citty of Maryes Inholder for that he the said Richard in and about the Second day of this Instant October, did deny & refuse to take a peece of Spannish Coyne comoñly Knowne by the name of a peece of Eight for six shillings sterling money Contrary to An Act of Assembly in that case provided. G Vanswearingen.

Richd Meekins The Grand Jury in the behalfe of y^e^ Right hon:^ble^ the Lord Propr̄y of this Province doth p^s^sent Richard Meekins of Dorchester County planter for that he the said Meekins hath taken & Killed Diverse hoggs, and marked other Contrary to his Lo^pps^ peace and in Contempt of an Act of Assembly in that case provided

Tho: Browne Informer. G Vanswearingen
Evidences to be pduced Endorsed Billa Vera.

Raymond Stapleford
William Jones
Richard Tubban
Daniel Hawkins

John Renny The Grand Jury in the behalfe of the Right hono:^ble^ the Lord Proprietary of this Province doth p^r^sent John Renny of Pocamoke River in the County of Somerset planter for that he the said John Renny in and about y^e^ 14th day of August in the 40th yeare of his said Lo^pps^ Dominion at y^e^ place aforesayd, an assault upon the pson of Barbary the wife of Cornelius Johnson of the County aforesayd did then & there make wounding & Drawing blood from y^e^ sd Barbary Contrary to his sd Lo^pps^ peace and also a Dog of the said Cornelius Johnsons did then & there Kill with a Gun and other misdemeanors & Threatning words, he did then & there utter vizt as that he the said Renny would burne the house and goods of yͤ said Johnson Contrary to his Loᵖᵖˢ peace and his Rule & Dignity.

Evidences G Vanswearingen.

Thomas Motley }
Henry Harman } Endorsed Billa Vera.

Thomas Beson

The Grand Jury in the behalfe of the Right honoᵇˡᵉ the Lord Proprietary doth pʳsent Thomas Beson of Ann Arundell County for that he the said Thomas Before in & about the Tenth day of March in yͤ 40ᵗʰ yeare of the Dominion of the honoᵇˡᵉ Caecilius Annoq Domini 1671 Did suffer & ordʳ Christopher Spry and John Philips servants to Bryan Dayley to passe contrary to his Loᵖᵖˢ peace and an act of Assembly in that case provided. G Vanswearingen

p. 510

James Lewis

The Juroʳˢ for the Right hono:ᵇˡᵉ the Lord Proprietary upon their oathes doe pʳsent that James Lewis of St Michaells hundred in the County of St Maryes planter not having the feare of God before his Eyes but being moved & seduced by the Instigation of the Devill and little weighing the fidelity he oweth to the said Lord Proprietary and the Lawes of this Province little Esteeming nor the Paines in them Conteyned at all fearing the Six & Twentieth day of July last in the One & fortieth yeare of his said Loᵖᵖˢ Dominion and Diverse times both before & since at the house of Thomas Doxey in the hundred & County aforesayd malitiously falsely & of his owne proper Imagination these false Scandalous words & Rumours of the Governoʳ & Chanceloʳ of this Province and of Coll William Calvert One of his Loᵖᵖˢ Councelloʳˢ of this Province and one of the Justices of the Provinciall Coʳᵗ of this Province did utter (vizt) that the Governoʳ Chanceloʳ & yͤ sd Coll Wᵐ Calvert were all Rouges & that yͤ said Coll was a Bastard, all wᶜʰ words although they are false he reported as truth and many other Scandalous words he then & there did utter & publish against the peace of his said Loᵖᵖ his Rule & Dignity and Contrary to an act of Assembly in that case made & provided Vincent Lowe.

Elizabeth Greene }
Thomas Brimson }
John Burridge } witnesses. Endorsed (Billa Vera)
Christopher Spry }

The Grand Juroʳˢ were Dismissed & James Lewis brought into Coʳᵗ.

The foregoing Indictmᵗ Reade to James Lewis who pleaded not guilty and put himself upon the Country, and the Sheriff retorning the Juroʳˢ names there appeared Joseph Chew William Dunkerton Thomas Walker Alexander Draper Abell James & Demetrius Cart-

Liber J J wright John Warren Ignatius Warren John Hartwell John Stone Aholiab West & John Pollard who to say the truth in y^e^ p^r^mises being Elected tryed & sworne upon their oathes doe say that they finde the said James Lewis guilty of what is alledged in the Indictm^t^.

Whereupon it is ordered by y^e^ Court that y^e^ said James Lewis receive imediately thirty nine Lashes on y^e^ bare back and that the Sheriff of St Maryes County Cause y^e^ same to be Executed upon the said James Lewis, and further that the said Sheriff Keepe y^e^ body of the said Lewis in his Custody untill he shall finde suertyes for the good behaviour, and such suertyes as two of the Justices shall approve of whereof one of y^e^ said Justices is to be of y^e^ Quorum.

500^l^ Tob fine Then was Bryan Dayly Retorned of the foregoing Jury finde five hundred pounds of Tobacco for his Default in not apearing upon call.

p. 511 Upon the Information ag^t^ Capt Thomas Jones Exhibited by Henry Smith and ffrancis Jenkins & found billa Vera by the Grand Inquest It is by the Co^rt^ ordered that the said Information be mended in matter of forme and that he have a Coppy of it, when mended, & pleade to it y^e^ next Co^rt^.

The Court Adjourned whilst Munday morning.

The 7^th^ of October 1672 Present as before.

1° October 1672

Mr Attorney General By virtu of a Comission of y^e^ sole Indian *Trad^r^* of this Province to me Graunted by the Lord Proprietary and by y^e^ said Comission Empowred to take seize or surprize any pson or psons together with their Ship or Ships Sloopes or other Vessells with all their Truck or any Skynns or ffurrs Clandestinely had or purchased Trading without lycense from the Lord Proprietary by vertu of w^ch^ Comission I have taken severall ffurrs and other Truck according to the pticulars underwritten the w^ch^ I p^r^sent to you as his Lo^pps^ officer for the Acquittall or Condemnation thereof as proofe shalbe made w^ch^ is the information of Sr

Yo^r^ humble Servant
Tho Jones.

Seized at y^e^ Hore Keele y^e^ 26^th^
of June 1672.
One Beaver skyn
seaven Otter Skynns.
Eleaven Mink skynns.
one Wolfe skynn
Two Racoone skynns.
One Muskrat skynne

At ye same place the 24th of August last. Liber J J

nineteene Minke skynns
foure Racoone Coates
One bundle of Racoone skynns
Seaven Deare skynns
Eight yrds of Red Matchcoate cloth.
Two blew Coates
One peece of Matchcoate Cloth
One Pewter Pype
sixteene quills
foure Dozen of Glasses
One halfe Dozen of Trading Knives
Ten Jewes Harpes
Nine bundles of wt peake
thirteene of black ditto
one pound of Red Lead.

ffrom Richd Ackworth a Tradr in Manoakin River last of July Anno. 1672.
fforty two Deare Skynns.
One hundred Eighty Eight muske Rat skynns
Twenty foure Racoone Coates.

Arrested his Sloope wch he Confessed he Traded in for ye said skynns & severall times went out of this Province with his said Sloope without making Entry of what Exported Tho Jones.

To his Excellency The Capt Genrall of this Province of Maryland &c. p. 512

The humble peticion of Richard Ackworth of Somrset County planter. Humbly showeth.

That whereas Capt Thomas Jones of this County of Somrset about the beginning of August in the 41th yeare of the Dominion of the Right hono:ble Caecilius &c over this Province of Maryland Annoque Domini 1672 made his Repayer to yor petrs house (in yor petrs absence) with some others in his Company, and the said Thomas Jones desired yor Petrs wife to let him have some syder wch yor petrs wife did accordingly, the said Jones Remaining from the time he came wch was about Tenn a clock in ye morning of the day he came untill Early the next morning at wch time the said Jones got up not making any that did belong to my family Acquainted, Then & there did illegally Ransack seize take & Carry away forty Three Drest deare skynns, One hundred Eighty odd muskrat skynns, Twenty ould Racoone Match coates and two beare skynns and them put on board yor petrs Sloope, the wch sloope he also made seizure of, and both the goods aforesayd with the Sloope carryed away to the Landing of Mr Randall Revell, and there brake up ye Cabbin Dore of yor petrs Sloope which was fast locked, and tooke out of ye said Cabbin a pcell of shot the said Jones not giving an accompt to any of my family wherefore he made seizure of the foregoing skynns nor Sloope, Yor petrs Sloope being at his owne landing & his wife

Liber J J being asleepe yor petr being much Damnifyed for the want of his Sloope & goods humbly Craves yor Excellencyes ordr for the Restauration of ye said goods and Sloope with Damages and as in Deauty bound shall pray.

Maryland ss Memorandum that this prsent Day to wit upon the 7th day of October 1672 came Thomas Jones who aswell on the behalfe of the Right honoble the Lord Propr̄y as for himself giveth the Court here prsent to undrstand and be informed.

That whereas he the said Thomas Jones who aswell &c being one of his Lopps Justices for the County of Worcester having Received information that one Peter Hance a Dutchman had imported into this Province from New yorke six Mares Contrary to the Act of Assembly in that case made and provided the said Thomas who aswell &c did upon the 24th day of August last past at the Hore Keele in Worcester County aforesayd caused ye said six Mares to be seized & taken into his possession in the behalfe of the Right honoble the Lord Propr̄y, and the said Thomas who aswell &c in fact saith that the said six mares were brought from New Yorke & imported into this Province contrary to ye said Act aforesayd which he is ready to averre & prove, whereupon he humbly prayes the Advice of this honoble Court & Judgemt for the Condemnation of ye said six Mares & that the one halfe of ye said Mares may be adjudged to the said Lord Proprietary and the other halfe to ye sd Jones according to the Tenor of ye said Act of Assembly. Tho Jones.

Upon the said Information Exhibited to ye Cort by the said Thomas Jones in his proper pson the Court awarded processe to be issued to the said John Hance to answere ye prmises. etc the next Cort.

The Cort Adjourned untill the Tenth of Decemƀ next

p. 513 Maryland ss. Memorandum that this Eighth day of October in the 41th yeare of the Dominion of the Rt hono:ble Caecilius &c Annoque Domini 1672 psonally apeared before us Philip Calvert Esqꝫ Chancelor of this Province and Baker Brooke Esqꝫ one of the Justices of the Provinciall Court James Lewis of the County of St Maryes planter George Charlesworth of the same County planter and Philip Shapleigh of Dorchester County planter, and the said James Lewis did acknowledge himself to owe & stand indebted to the Right honoble the Lord Proprietary in the sum̄e of Tenn Thousand pounds of Tobacco and Casque, to be Leavyed of his lands goods Debts & Chattells and the said George Charlesworth and Philip Shapleigh, did Either of them by himself acknowledge to owe & be indebted to the said Lord Propr̄y the sum̄e of five Thousand pounds of Tobacco to be leavyed upon their lands goods Debts & Chattles upon Condition following. **Liber J J**

The Condition of this Recognizance is such that if the abovenamed James Lewis shalbe of good behaviour During the Terme of his Naturall life then this p^{r}sent Recognizance to be voyd and of none Effect otherwayes to Remaine of full force and vertu.

Taken and acknowledged
before us the day &
yeare abovesayd.
Philip Calvert
Baker Brooke

The marke of
James Ł Lewis
George Charlesworth
Philip Shapleigh.

Spā for Henry Smith Sen^{r} Harman Cornelinson Robert Catlin Sen^{r} Richard Denis Thomas Poole & Henry Hamond to testefy for y^{e} Lord Proprȳ ag^{t} Thomas Jones ret y^{e} 10th of December next Teste 7th Octob̄ 1672.

ven fac to y^{e} Coron^{r} of Som^{r}set County to cause Thomas Jones Sheriff of the sd County to come &c the 10th Decemb̄ next. Teste 7th Octob̄ 1672.

Idem to y^{e} Sheriff of Som^{r}set County for John Renny. Dated & ret ut supra.

Idem to y^{e} Sheriff of S^{t} Maryes County ag^{t} Richd̄ Moy & Tho. Paine. Test & ret ut supra.

Idem ad Sheriff Dorchester County ag^{t} Richd̄ Meekins ut supra.

Idem ad Sheriff Ann Arundell County ag^{t} Thomas Beson ut supra.

At a Provincial Court of the Right hono:^{ble} Caecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltamore &c held at the Citty of St Maryes the Tenth day of December in the 41th yeare of the Dominion of his said Lo^{pp} over this Province of Maryland Annoqȝ Domini 1672 before his Lo^{pps} Justices for the Keeping of the peace of the said Province & moreover for the hearing and Determining of Diverse felonyes murders Transgressions and other misdeeds in the said Province Comitted & ppetrated assigned at which time were present.

His Excellency Charles Calvert Esqȝ Cap^{t} Generall & Cheif Governo^{r} of Maryland

The hon:^{ble}
Philip Calvert Esqȝ Chancelour
Baker Brooke
Edward ffitzherbert
Jesse Wharton
Esqȝs.

Liber J J The Court being called the Cryer makes proclamation.

Comanding all Justices of peace, Çoroners Stewards of Leetes and libertyes & other Officers that have taken any Inquisitions Indictm^{ts} Recognizances whereby they have let any man to bayle let them put in their Records thereof that his Lo^{pps} Justices may pceed

p. 514 John Griffin bound over for hoggstealing appeares Comitted to the Sheriff of St Maryes County

Joseph Okeene bound over for hoggstealing appeares Comitted to the same Sheriff.

Richard Meekins bound over for hoggstealing appeares Comitted to the same Sheriff.

James Neale Sen^{r} James Neale Jun^{r} bound over for hoggstealing, they both appeare and Enter into Recognizance to the Lord Proprietary in forty pounds sterl^{g} a peice to Depart the Court without license but to be ready upon call.

Thomas Hackleton
Samuell Lester and
Wm Swetnam
brought by the Sheriff of Calvert County were by the Court Comitted to the Sheriff of St Maryes County by him to be Kept for fellony.

Thomas Beson of Ann Arundell County presented by the Grand Inquest the last Court for suffering Runnawayes to passe Contrary to the Act of Assembly appeares, submits to his fine, the Court fined him 6^{s}—8^{d}, which he payd in open Co^{rt}, and so went without day.

Richard Moy of St Maryes County being presented by the Grand Inquest the last Court for refusing to take a peice of $\frac{8}{8}$ at 6^{s}, appeared by Robert Carvile his Attorney, and the said p^{r}sentm^{t} for the Insufficiency thereof was quashed, and so the said Moy went thereof without day.

John Morecroft an Attorney of this Court appears for Capt Tho Jones & M^{r} Thomas Paine as their Attorney, to an Information ag^{t} Jones & a p^{r}sentm^{t} ag^{t} Paine. and was by the favour of the Court here admitted.

The names of the Grand Juro^{rs} sixteene in Number. Liber J J

Foreman Raymond Stapleford
Nicholas Rice
David Browne
W^{m} Russell
Hubbert Lambert
W^{m} Hensey
John Dobbs
Gerard Browne
Joshua Doyne
George Marshall
John Collet
James Philips
Michael Miller
Thomas Cosden
George Robins &
Thomas Vaune

who being sixteene in number were all sworne according to the Tenour of the usual oath and Receiving their Charge withdrew to Consider of such bills as should be presented to them.

Then was Thomas Todd of Ann Arundell County and John Wells of Talbot County retorned of y^{e} grand Jury & not appearing fined by the Court 500^{l} Tob apeice. 1000^{l} Tob

The Court Adjournes till to morrow morning nine a clock

The 11th December 1672 The Court met p^{r}sent as yesterday.

Then did the Grand Inquest come into the Court and the foreman Raymond Stapleford Exhibited a petiicion to the Court here that whereas he was foreman of the grand Inquest for the body of this Province, and that Henry Smith of Somerset County had abused him in calling him hoggstealer, wherefore he Desired Reperation the Court taking the same into their serious Consideration called the said Smith before them who acknowledging his offence submitted to the mercy of the Court, and was by the Court fined 400^{l} Tob, w^{ch} said Smith imediately payd the same, and so was Discharged.

The grand Inquest Retornes these bills following. Endorsed as followeth p. 515

The Juro^{rs} for the Right hono:^{ble} the Lord Proprietary upon their oathes doe present that James Neale Junio^{r} of Wollaston Manno^{r} in Charles County the thirtieth day of December in the yeare of our Lord 1671, at Wolliston Manno^{r} aforesayd in the County aforesd One hogg of the goods and Chattels of Arthure Turners did take Kill and Carry away One hogg of the goods and Chattels of Giles Thomkins in his the said Neales owne Orchard, also severall hoggs of the goods and Chattells of William Perfits in and upon the Mannour aforesayd, also three hoggs of the goods and Chattells of the said William Perfit about Ware Creeke then and there found did Kill or Cause to be Killed stole and Carryed away upon the said James Neale Jun^{r}

Liber J J thirtieth day of December in the 40th yeare of his said Lo^{pps} Dominion Annoqȝ Domini 1671 contrary to the forme and Effect of a certeine Act of Assembly in that Case had made and provided, and against the peace of his said Lordshipps Rule and Dignity.
Endorsed vizt Billa Vera.

The Juro^{rs} for the Right hono:^{ble} the Lord Proprietary upon their James Neal Sen^{r} oathes doe present that James Neale Senio^{r} of Wollaston Manno^{r} in Charles County, upon the 28th day of ffebruary Anno 1668. At Wollaston Manno^{r} aforesayd One hogg of the goods and Chattells of James Bowling did Kill take and Carry away as also six piggs of the goods and Chattels of Arthur Turners on the Manno^{r} aforesayd did marke of and with the marke of him the said Neale Contrary to the forme and Effect of a certeine act of Assembly in that Case had made and provided and against the peace of his said Lo^{pps} Rule and Dignity. Endorsed vizt Billa vera.

The Juro^{rs} for the Right hono^{ble} the Lord Proprietary upon their Richard Meekins oathes doe present Richard Meekins late of Dorchester County in the Province of Maryland laborer for that he the Tenth day of November in the 40th yeare of the Dominion of Caecilius &c Annoque Domini 1671 with force and Armes &c at Dorchester County aforesayd in the Province aforesayd one Cow of the vallue of Twenty shillings of the goods and Chattells of Raymond Stapleford then and there found then and there feloniously did take steale and lead away against the peace of the said Lord Proprietary his Rule and Dignity Endorsed Billa Vera.

The Juro^{rs} for the Right hono:^{ble} the Lord Proprietary upon their Thomas Hackleton W^{m} Swetnam Samuell Lester oathes doe p^{r}sent Thomas Hackleton late of Patuxent River in the County of Calvert laborer William Swetnam of the same place laborer, and Samuell Lester of the same place laborer the thirtieth day of August in the 41th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1672 with force and Armes &c at Patuxent River aforesayd in the County aforesayd three white shirts of the vallue of Three shillings one blew shirt of the vallue of sixpence Two payer of Drawers of the vallue of Tenn pence Two long Neckclothes of the vallue of foure pence One Calico handKercheif of the vallue of one penny one woman's smock with one sleeve of the vallue of Eight pence one yards of lynnen cloth of the vallue of One shilling, Two yards of Course Lynnen of the vallue of One shilling four pence, halfe a yard of Canvas of the vallue of three pence one holland hood of the vallue of Two shillings One Callico hood of the vallue of sixpence foure pound of butter of the vallue of one shilling p. 516 one greate Cheese of the vallue of One shilling & three small Cheeses of the vallue of One shilling six pence of the goods and Chattells of William Graves of Patuxent River aforesayd planter then and there found then and there feloniously did steale take and Carry away against the peace of the said Lord Proprietary his Rule and Dignity. Endorsed Billa Vera.

James Neal Junr

James Neale Junr being called appeares who Desired Councell to be assigned him by the Cort. who ordered Mr Morecroft one of the Attorneys of this Cort to be of Councill for the prisoner, who put in this plea following in writing.

And the said James Neale Junr in his proper person cometh and saith that the said Lord Proprietary will not nor ought him the said James by Reason of the said Indictmt greive and impeach because by protestation he saith that the Indictmt is not sufficient in Law to put him to answere thereunto. Notwthstanding for plea he saith that whatsoever is Contrary to the Act of Assembly aforesayd he saith he is in no wise guilty in manner and forme as by the Indictmt aforesayd above is supposed, and of this he puts himself upon the Country and Vincent Lowe Esqꝫ Attorney Generall, who for his Lopp the Lord Proprietary in this behalfe followeth for the said Lord Proprietary likewise. and the Sheriff of St Maryes County having as he was Comanded retorned a petty Jury for the Tryall of prisoners who being called appeared to wit Wm Harris Richard Atwood Thomas Doxey Nicholas Guither Richard Bayly Henry Bedford Wm King Guy White ffrancis Gunbee Richard Ackworth John Sym̃ons Henry Smith and Richard Smith who being Elected tryed & sworne to try the truth in the premises upon their oathes doe say, that the said James Neale is guilty of hoggstealing whereof he hath beene Indicted and so they say all. whereupon the Court Gave Judgemt agt him according to the act of Assembly in that case provided for the first offence.

To his Excellency Charles Calvert Esqꝫ Capt Generall and Cheif Governor of Maryland.

The humble peticion of James Neale Junr.
Most humbly sheweth

Unto yor Excellency that yor poore petr being a distressed object under the Just sentence of the Law procured by the unadvised Rashnes of his inconsiderate youth whereby he is now become uncapable of any thing but shame and Ignominy unlesse your gracious goodnes and Redundant Mercy wherewith yor Excellency hath Ever beene adorned, and of which all who have stood in need have plentifully obteined upon their humble addresses. yor unworthy petr humbly beggs yor wonted Grace and mercy. to be Extended to him in yor Excellyes Gracious pardon to be freed from that Ignominious punishmt, which his Crimes have most Justly Deserved, and the unadvised Rashnes of his youth most Justly merited and pulled Downe upon himself. and in yor Excellyes Gracious freeing yor

Liber J J

pet^{r} from the same you will forever binde him to pray for your Excllyes health honor and happiness long to Governe us.

This peticion being p^{r}sented to his Excellency in open Court his Excellency is gratiously pleased & does ord^{r} that his punnishm^{t} be remitted according to the prayer of the peticion, provided he pay Damages to the ptyes agreived according to the Act of Assembly and his ffees. and the said James Neale Jun^{r} imediately in open Co^{rt} upon his Knees thanked his Exclly for such his Clemency & mercy and prayed for the Lord Proprietary

James Neale Sen^{r} p. 517

James Neale Sen^{r} being called appeares. who desired Councell to be assigned him by the Court, who ordered Mr Morecroft one of the Attorneys of the Court to be of Councill for the prisoner who put in this plea following in writing.

And the said James Neale Sen^{r} cometh and saith that the said Lord Proprietary him the said James upon the said Accōn of Indictm^{t} ought not or will not Greive or impeach because by ptestation he saith the Indictm^{t} is not sufficient in Law to put him the said James to answere thereunto, Notwithstanding for a plea he saith that whatsoever is Contrary to the Act of Assembly aforesayd he is in no wayes guilty in manner & forme as by the said Indictm^{t} aforesayd above is supposed and of this he puts himself upon the Country, and Vincent Low Attorney General who for the said Lord Proprietary in this behalfe followeth for the said Lord Proprietary likewise. and the Sheriff of St Maryes County having as he was Comanded retorned a Petty Jury for the tryall of prisoners who being called appeared to wit Willm Harris Richard Atwood Thomas Doxey Nicholas Guither Richard Bayley Henry Bedford William King Guy White ffrancis Gunbee Richard Ackworth John Symonds Henry Smith and Richard Smith, who being Elected tryed & sworne to try the truth in the premises upon their oathes doe say that the said James Neale Sen^{r}, is not guilty of the hoggstealing whereof he hath beene Indicted and so they say all, whereupon the said James Neale Sen^{r} was acquitted by proclamation, and by the Court Discharged paying his ffees.

Thomas Hackleton
W^{m} Swetnam &
Samuell Lester

The Sheriff of St Maryes County being Comanded to set Thomas Hackleton William Swetnam and Samuell Lester to the barre were for the fellony aforesayd araigned and upon their Arraignm^{t} pleaded not guilty and for their tryall put themselves upon the Country. and the Sheriff of S^{t} Maryes County having as he was Comanded retorned a petty Jury for the tryall of prisoners, who being called appeared to wit Richard Smith Alexand^{r} Draper Richard Atwood Nicholas Guither Richard Bayly Henry Bedford William King Guy White ffrancis Gunbee Richard Ackworth John Simons and Henry

Smith who to say the truth in the p^r^mises being Elected tryed and sworne upon their oathes doe say—that Thomas Hackleton and Samuell Lester are guilty of the ffellony whereof they have beene arraigned to the vallue of Tenn pence sterling. and that William Swetnam was not guilty of the same & so they say all whereupon the said Thomas Hackleton and Samuell Lester were set to the barre and the Court gave Judgem^t^ ag^t^ them that the Sheriff of St Maryes County cause the said Thomas Hackleton and Samuell Lester to be whipped on the bare back at the whipping post in St Maryes Citty, and that they have nine and thirty lashes a peice. and the said William Swetnam being set to the barre was acquitted by pclamation and by the Court Discharged paying his ffees. **Liber J J**

It is by the Court this day ordered that Michaell Tawney one of the Constables of Calvert County Deliver unto William Graves of the same County what goods he hath in his hands that were stole from the said Graves by Thomas Hackleton and Samuell Lester and whereof they are before this Co^rt^ Convicted; the said goods being made appeare before this Court pply to belong to the said Graves.

Richard Meekins

The Sheriff of St Maryes County being comanded to set Richard Meekins to the barre, y^e^ said Meekins was upon the Indictm^t^ aforesayd for y^e^ fellony aforesayd arraigned and upon his arraignm^t^ pleaded not Guilty and for his tryall put himself upon the Country, and the Sheriff of St Maryes County having as he was Comanded retorned a petty Jury for the tryall of prisoners who being called appeared to wit Richard Smith Alexand^r^ Draper Richard Atwood Nicholas Guither Richard Bayly Henry Bedford William King Guy White ffrancis Gunbee Richard Ackworth John Symons and Henry Smith who to say the truth in the premises being elected tryed and sworne upon their oathes doe say that the said Richard Meekins is not guilty of the fellony whereof he hath beene arraigned & so they say all whereupon the said Richard Meekins was acquitted by pclamation and by the Court Discharged paying his ffees. **p. 518**

Marmaduke Symmes

Marmaduke Symmes of St Maryes County being bound over to this Court for abusing and misusing his servant Vertu Avery, he being called appeares, and the said Vertu Avery & the witnesses being Examined, the Court found not further Cause to binde the said Symms over whereupon he was Discharged paying his ffees.

James Lewis Recog.

The Court being formerly informed that James Lewis being bound to the good behaviour had broken the same, ordered his security to show Cause why the Recognizance should not be estreated, and upon Examination of the matter the Court ordered the said Recognizance to be Cancelled.

Liber J J
Tho: Knighton

Thomas Knighton one of the Attorneys of this Court being accused for falsefying a writ out of this Co^{rt} after it was under the lesser seale of this Province & signed by the Clerke, and the said Knighton humbly Confessing such his misdemeneano^{r} submitted himself to the mercy of the Court, who this day ordered that the said Knighton be Discharged of his place of an Attorney in this Court, and never more psume to practise in this Province, but impose no fine upon him quia pauper.

John Owen servt to Mr Beckwith

George Beckwith of Calvert County made oath in open Co^{rt}, that his servant John Owen absented himself from his service fifty dayes, and therefore craved Judg^{t} ag^{t} him according to act of Assembly, and the said John Owen being p^{r}sent in Co^{rt} and the Court Computing the time, ordered the said John Owen to serve the said George Beckwith faithfully untill the last of January next & then to be free

Jeremiah Harrington

The Co^{rt} being informed that Jeremiah Harrington of St Maryes County is a pson of Evill life and Conversation and that he hath much abused his wife it being to be feared that he may murder her. It is by the Court ordered that the said Harrington remaine a prisoner in the hand of the Sheriff of St Maryes County untill he shall finde sufficient Manucapto^{rs} for his good behaviour

Wittm Price

W^{m} Price of Baltamore County being retorned for a Juro^{r}, and being called appeares, and being Drunke and not fitting to serve the Co^{rt} Comanded the Sheriff of St Maryes County to set him in the stocks for halfe an hour for such his contempt.

Joseph OKeene

Then was Joseph OKeen called to the barre and no pson appearing to psecute Effectually the said OKeen was acquitted by pclamation, and by the Co^{rt} Discharged paying his fees.

John Renny

Then did M^{r} John Morecroft appeare to y^{e} p^{r}sentm^{t} ag^{t} John Renny and time was given in y^{e} same busines untill the next Provincial Co^{rt}.

John Griffins Recog

John Griffen accused for hoggstealing the Indictm^{t} not being Ready, the same was referred untill the next Provincial Co^{rt}. and the said John Griffen bound in 10^{l} sterling for his appearance then & his good abearance in the meane time & Thomas Griffin and Thomas Wynn his Manucapto^{rs} did undertake for him in the sum̄e of five pounds sterling a peice to be leavyed &c. upon the same Condition.

Tho: Wright to ꝑsecute

Then also did Thomas Wright acknowledge a Recognizance in Tenne pound sterling the psecution of y^{e} said John Griffin the same next Co^{rt} to be leavyed &c.

p. 519

Marylañd ss. Memorandum that this day that is to say the first day of October in the 41th yeare of the Dominion of Caecilius &c

Liber J J

Annoqȝ Domini 1672 came Henry Smith and ffrancis Jenkins in their proper persons in open Co^{rt} here and gave the Court to understand and be informed (vizt)

These are humbly to informe yo^{r} Excellency that Cap^{t} Thomas Jones did with six or seaven men goe up to the Horekeele, where he first caused all the Dutchmen to be bound then opened their Chests taking severall ffurze, and Two blankets and some powder the which he ordered to be throwne into the River and Dranke their anniseed water this by Information.

Upon August the 22th wee did see him bring into the Guard with others he Employed Deare skynns Wampum peake blankets Trading Cloth powder pipes Knives looking glasses with severall ffurrze wee suppose to the vallue of sixty pounds sterling

Also the said Thomas Jones did upon the 21th of August ride up to one Robert Catlyn and Drew his sword calling him ould Rouge & Dogge with other scurrilous Expressions and Runn his sword thorough his Cloathes to his skynn only for accidentally carrying us a little out of the way.

That he did upon the 23th of August when Complaint was made to me as being one of his Lo^{pps} Justices of y^{e} peace for his taking away a pound of powder from an Englishman which he kept for his Defence and had Retorned not much above halfe did Reply that if I the said Smith had so much there he would seize it giving me the ly, with many other scurrilous Expressions and threats Declaring he would not show his Comission to such a one as I was. That upon August the 24th after my Depture did Cause Daniel Browne by a warrant to seize two of my mares with severall others Notwithstanding they had beene there as by information at least Two yeares.

That the said Thomas Jones being Sheriff of Somerset County did at a Court held in August p^{r}sent an undersheriff to the Court Declaring that he did not Intend to sweare him but since the Court suffered him to be abused he would sit with them no more and if they would not sweare him he would he also Declared he would goe no more to Court for he had provided an under officer good Enough to scould with the Com^{rs} of the Court, that an ord^{r} of Court sent to him to Execute as Sheriff he did in p^{r}sence of foure gentlemen of Virginia refuse and flung it back againe to the bearer. all which with many other abuses doth Disincourage most people to seate those parts.

The answ^{r} of Thomas Jones to the Rude and undigested Page Directed to his Excellency and Conteyneing matter supposing certeyne Crymes & misdemean^{rs} to be by him the said Jones Comitted and exhibitted by Henry Smith and ffrancis Jenkins and now exhibited as an informac̄on to this Hon^{ble} Court on the behalfe of themselves

To the first Article the Respond^{t} saith that true it is he did with

Liber J J six men goe to the Horekeil the 26th day of June last past, as he humbley Conceives it was Lawfull for him to doe By virtue of a Commissn and graunt to him made by the Right Honble the Lord Proprietary undr the Great Seale of this Province bearing date the 20th day of Aprill last in the 40th yeare of his Lordpps Dominion, for the Indian Trade and amongst other things by the said Comissn was Impowered him the said Thomas Jones his Agents ffactors or assignors finding any pson or psons Trading with ye Indn to take seize or surprize the said pson psons so tradeing as aforesd, Togeather with their Ship or Ships Boats vessells (or Truck for skyns Clandestinly had or purchased) And them to keepe in safe Custodie untill they shall be brought to a Loyal tryall before his said Lordpps Cheife Govrnor of his said Province of Maryland

As by the said Recited Grannt amongst other things it doth & p. 520 may more at large ap̄pe And this Respondt saith that he haueing Impowered Daniell Browne his Agent who being at the Horekeil in worcester County and finding seurall Dutchmen Tradeing with the Indians for ffurrs, and being alone and the Dutchmen in great number, Repaired to the Respondt and accquainted him therewith, This Respondt did then repayre to the whorkeil and finding the Dutchmen there, and their number to be more then three parts greater then the numbrs that this Respondt there had with him, and also being informed that they had seized on the Pson of the said Daniell his their Agent a liver in this Province and now Constable at the Horekeil, and violently and with force carryed him away Prisonr to the Port of New yorke who there deteyned him. Whereupon this Respondt did seize the persons of diverse Dutchmen & them bound till he found out who of them it was that seized tooke & Carryed away the said Browne Prisonr, and this Respondt found out that it was one Hermanus that was the theife he released them all but the said Hermanus whome he Deteyned till Capt Carre gaue this Respondt a L̄re to his Excellency the Gournor. for the deliuery of the said Hermanus, wherupon this Respondt released him the said Hermanus, And this Respondt further saith that he then finding there seurall ffurrs that the Dutchmen had there Clandestinly traded for with the Indians, and without any Comissn from the Lord Proprietary, Did by virtue of his said Comissn seize them and one Matchcoate that they were wrapped in with Promise of Restitution if those goods should not be proved seizable & fforfeited, All which this Respondt hath giuen in a perticuler to his Excellency the Lord Proprietary, Cheife Governr to be Proceeded agt in a Legall manner to be accquitted or Condemned as upon hearing the matter and proofes on both sides it shall seeme Agreeable to Law and equity, The Powder that this Respondt found being truck, and they telling this Respondt they would sell it to the Indians and a power of Indians being then in the towne for prevention of present & future Danger (if any Tumult should be made) he destroyed all but what they requested for their owne securytie in the like case. As he conceived it was Lawful for him to doe, The Anniseed water was Drunk and called for by Cap^t^ Carre and not seized or caused to be drunk by the Respond^t^ as these vexatious Relators doe informe, haueing Patched up A vexacious Informac̄on upon vayne & Idle Reports Maliciously on purpose to vex and trouble this Respond^t^ without any iust cause, Liber J J

To the second Article this Respond^t^ saith that the Goods ffurrs Wampampeake &c, in that Article menc̄oned were and are Truck which this Respond^t^ seized by virtue of his said Com̄iss^n^ and hath Exhibited a perticuler therof to his Lord^pps^ Govern^r^ to be proceeded against before his sayd Excellency in order and Legall maner for the Acquittall or Condemnac̄on thereof as the Trueth of the case shall require

As to that part of the Informac̄on Concerneing the Respond^ts^ Drawing his sword and Ruñing of Robert Catlyn through the Clothes, this Respond^t^ Denyeth that he did any such Act, The Powder pretended to be taken from an Englishman this Respond^t^ saith he found it in the posession of a Dutchman And the next day Gaue a Gourd of Powder to an Englishman who said it was his, The informac̄on not setting forth the name of the Englishman is so incertayn that this Respond^t^ need not answer therunto, p. 521

To that part of the Informac̄on wherein this Respond^t^ is Charged in these words that he did the Twenty fourth day of August after my departure, did Cause Daniell Browne by a warrant to seize two of my Mares w^th^ seu^r^all others notwithstanding they had bin there as by informac̄on at least two yeares which part of the informac̄on is voyd for the Incertayntie, first of the person he caused, so that it doth not appeare of the person who caused secondly, Two of my Mares with seu^r^all others, so that it doth not appeare of the person whose these mares were, with seu^r^all others neither doth it appeare that the mares was that persons Joyntly with seu^r^all others or his solely, neither what persons these seu^r^all others were, or whether it were seu^r^all other mares—3^dly^ it is voyd in this That the Informac̄on saith notwithstanding they had bin there as by informac̄on at least two yeares for it doth not Expresse any Certayne place where they had bin at least two yeares now by whose informac̄on, for all which Reasons this Respond^t^ und^r^ favour humbly Conceiueth that this Court will not require him to giue any further Answer to this incertayne and intricate Charge,

But this Respond^t^ saith that he being a Justice of Peace for the County of Worcester County Appointed by his Lord^pps^ Com̄iss^n^ and One Daniell Browne Constable Giueing informac̄on to him this Respond^t^ That there were six Mares lately Transported into that County Contrary to the Act of Assembly in such case made and Provided, Did upon Brownes Informac̄on Issue a warr^t^ to the said Browne to seize the said six mares that they might be pro-

Liber J J ceeded ag^{t} according to the Tenno^{r} of the said Act of Assembly for Accquittall or Condemnac̄on as it was Lawfull for him to doe, And if any of them belonged to the said Henry Smith the informer or any other person he or they owneing of them or any of them may make their defence as they please

As to that part of the next Article wherein this Respond^{t} is Charged to say that he this Respond^{t} should say in August Court that he would sitt with them noe more for he had Provided an und^{r} officer &c. This Respond^{t} saith that y^{e} office of Sheriffe is an office that may be pformed by Deputy, And if he doe not Provide a Deputy to Attend or Attend himselfe the Court may impose a fine upon him, but if he haue a Deputy there it is sufficient,

To the other part of that Article wherein the Respond^{t} is Charged that an Order of Court sent to him to execute as Sheriffe he did in the presence of some gentł. of Virginia refuse and flung it back againe to the bearer, this part is voyd for the incerteynties for the Informac̄on doth not Expresse what ord^{r} of Court it was nor upon w^{t} cases or betweene what partyes, nor at what Court it was made nor by whome signed whereby it may appeare that it was an ord^{r} according to Law or that it was directed to the Sheriffe to Require him to Execute neyther is any pson named that brought the ord^{r} to him, ffor all which Defects incerteynties & intricacyes in the said Informac̄on conteyned it manyfestly appears that the said Informac̄on is by them the sayd Henry Smith & ffrancis Jenkins, brought out of Mallice meerly to put this Respond^{t} to unnesesary Charges & trouble, Hee hopeth this Hon^{ble} Board will casheire the said Informac̄on. and Dismisse this Respond^{t} with Costs and Charges in this behalfe most unjustly & wrongfully susteyned Came Vincent Lowe
p. 522 Esqꝫ Attorney Gen^{ll} who aswell On the Behalfe of Caecilius Lord and Proprietary of the Province of maryland &c as on the part of the Informants saith that Notwithstanding any thing alleadged by the said Thomas Jones, the said Thomas Jones is Guilty of all or some part of the matter Conteyned in the said Informac̄on, & of this he putts himselfe upon the Judgem^{t} of this Hon^{r}ble Court; And the said Thomas Jones likewise

And after a ffull hearing of the businesse this day to witt the Tenth day of Decemb^{r} in the 41th yeare of the Dominion of Caecilius &c. before his Lord^{pp}s Justices his Excellency Charles Calvert Esqꝫ Capt^{t} Gen^{ll} and cheife Governo^{r} of this Province being p^{r}sent, And the said Thomas Jones Com̄iss^{n} from the Right Hon^{ble} the Lord Proprietary for the sole Indian Trade of this Province, being openly Read His Lord^{pp}s Justices are all Clearly sattisfied that the said Thomas Jones hath Exceeded the Limitts of his Com̄iss^{n} for the Indian Trade as afforesd from his Lord^{pp} to the said Jones Grannted, And therefore the Court Doe order the said Com̄issn to be Imediately Cancelled & vaccated, which was in open Court done by Tearing off the seale from off the said Com̃iss^{n} here in open Court, And it is ffurther Ordered by the Court here that the said Thomas Jones make satisffaction to Herman Cornellison, Otho Wollegast, & Peter Groendick, for the goods he tooke from them Eith^{r} in kind the goods to be Restored, or to Herman Cornelison 15^{l}-11^{s}-sterling, to Otho Wolegast 1^{l}-6^{s}-sterł. and to Peter Gronendick 87^{l}-11^{s}-sterł, It being according to the list produced here in open Court and Ordered that the said Lists be Recorded, & that the said Jones pay unto the partyes Greived the sūm   pounds of Tobacco for their Moderate Charges in this behalfe by the Court Allowed Liber J J

An Acc^{ot} of Goods taken from Herman Cornelison by Cap^{t} Tho: Jones from the whorekeil in the yeare *1672:*

It. One Beaver skyn	00-16-00
It. 8 Otter Skyns	05-00-00
It—35. Rackoone skyns	03-10-00
It—3. Wild Catt skyns	00-10-00
It—6. Barrs of Lead	00-05-00
It—25. Minck skyns	04-00-00
It—2. Rackoone Coates	01-00-00
It—7. Deare skyns	01-00-00
Anniseed water Dranke	15-11-00

An Acc^{ot} of Goods taken from Otho Woolegast by Cap^{t} Tho. Jones. from the whorekeil *1672*

It. 12^{l} of Powder	01-06-00

An Acc^{ot} of what Goods Cap^{t} Thomas Jones Tooke from Peter Gronendick, at the whorekeil *1672* vizt

	ł s d
It. 13 Bundls of Black Peake 9 Bundls of white Peake } to the vallue of	53-00-00
It. 12 Double Blanketts	18-00-00
It. 18 Mink skyns	03-00-00
It. 2 Rackoone skyns	00-06-00
It. 2 Rackoone Coates	01-00-00
It. 19. Knives	01-00-00
It. 38. Lookinglasses	02-00-00
It. 14. Peake Quiles	02-06-00
It. 14. Dutch Ells of Duffalls	06-00-00
in all	86-12-00
It. 6^{l} of Red Lead	1-00-00

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Liber J J To his Excellency the Capt Genll of this Province of Maryland &c The Humble Petticoñ of Richard Ackworth of Somrset County planter Humbley Showeth

That whereas Capt Thomas Jones of this County of Somrset about the Beginning of August in the 41th yeare of the Dominion of the Right Honble Cacilius &c Over this Province of Maryland Annoꝗ Dom̃, *1672* Made his Repayre to yor Pettitioners house (in your Pettr absence) with some others in his Company, And the said Thomas Jones desired your Pettrs wife to let him haue some syder which your Pettrs wife did accordingly the said Jones Remayneing from the tyme he came which was about Ten a Clock in the morneing of the day he came untill Early the next morneing At which tyme the said Jones gott up not making any that did belong to my ffamily Acquainted, then and did there Illeagally Ransack Seiz take and carry away fforty three Drest Deare skyns, One hundred Eighty odd Muskratt skyns, Twenty odd Rackoone Matchecoats, and two Beare skyns, And them put on Board your Pettrs Sloope, the which Sloope he also made   of, and both the goods afforesaid with the Sloope carryed away to the Landing of Mr Randall Revell, and there brake up the Cabbin Doore of your Pettrs Sloope which was fast Locked, and tooke out of the said Cabbin a parcell of shott, the said Jones not giveing an Account to any of my family wherefore he made seizure of the fforegoing skyns nor sloope, your Pettrs Sloope being at his owne Landing and his wife being asleepe, your Pettrs being much Damnifyed for the want of his Sloope and Goods, Humbly Craves yr Excellencys Ordr for the Restauracōn of the said Goods and Sloope with Damages, And as in duty bound shall pray &c

Uppon the fforegoeing Pettition Ordered by the Court here,

That Richard Ackworth the Pettr haue his Goods and Sloope againe Deliuered unto him, by Capt Thomas Jones who seized the same, but that the said Ackworth Doe not presume at any tyme to Goe out of this Province with his Sloope before he shall first Cleare her with his Lordpps Collector appointed in those parts uppon Payne and perrill that shall ffollow theron

p. 522 [i.e., 524] Maryland ss—Memorandum that this prsent day to witt upon the 7th day of October in the 41th yeare of the Dominion of Caecilius &c. Annoꝗ Dom̃ *1672*. Come Thomas Jones who aswell on the behalfe of the Right honble the Lord Proprietary as for himselfe Giueth the Court here prsent to understand and be informed

That whereas he the said Thomas Jones who aswell &c, being one of his Lordpps Justices for the County of Worcester haueing Receiued informacōn that one Peter Hannce a Dutchman had Imported into this Province from New yorke six Mares Contrary to the Act of Assembly in that case made & Provided, The said Thomas who aswell &c, did upon the 24th day of August last past at the whorkeil in worcester County afforesd, Cause the said six mares to be seized and taken into his Posession in the behalfe of the Right hon^{ble} the Lord Proprietary, And the said Thomas who aswell &c. in fact saith that the said six Mares were brought from New-yorke and imported into this Province, Contrary to the said Act afforesd, which he is ready to Averre, and Prove, Wherupon he humbly prayes the Advice of this hon^{ble} Court and Judgm^{t} for the Condemnation of the said six mares, And that the one halfe of the said six mares may be Adjudged to the said Lord Proprietary, and the other halfe therof to the said Jones, According to the Tenno^{r} of the sayd Act of Assembly Liber J J

And the said Peter by Kenelm Chiseldyn his Attorney here by Grace of the Court specially Admitted, Prayeth the said Peter may Answer to the p^{r}misses in the information afforesayd Conteyned, and hereupon the said Peter Defendeth the force and Injury &c, and prayeth hereing of the informac̄on afforesd and it is Read unto him &c, which being Read and heard and by the same fully understood the said Peter saith that he is in noe wise Guilty of the premisses against the forme of the statute aboue Imposed upon him in manner and form as the said Thomas by his informac̄on Imposed and of this he putts himselfe upon the Country—And the said Thomas likewise

Wherefore Comand is Given the Sheriffe of S^{t} Maryes County that he cause to come before the Justices of this present Provincall Court twelue &c by whome &c who neith^{r} &c. who aswell &c. to recognize &c

At which day that is to say the Tenth day of Decemb^{r} in the 41th yeare of the Dominion of Caecilius &c. cause aswell the said Thomas Jones who aswell &c in his owne pper pson as the said Peter Hance by Kenelm Chiseldyn his Attorney, and the Juro^{rs} of that Jury likewise Came to wit, Richard Smith, Richard Attwood, Guy White, Henry Bedford, Nicholas Guyther John Symmons, Richard Ackworth, Richard Baylie, ffrancis Gunby William King, Allexand^{r} Draper, John Wells, who being Ellected tryed & sworne to say the truth in the p^{r}misses, upon their Oathes doe say, That in the month of Septemb^{r} Anno. *1671.* the said Peter Hance did Transport six mares to the Whorekeil, but from whence they finde not, And the Court being ffully sattisfied that the Whorkeil was not at that tyme in the Actuall posession of the Right Hon^{ble} the Lord Proprietary, Therefore they doe Adjudge that the said Mares are not forfeited, and Doe Order them to be Released, And the said Thomas in mercy for his falce Complaint &c p. 525 [i.e., p. 525]

The Court Adjourns till the Eleauenth day of ffeb̄. next

Liber J J At a Provincial Court of the Right hono:^{ble} Caecilius &c held at the City of St Maryes the 11th day of ffebruary 1672 before his Lo^{pps} Justices for the Keeping of the peace of the said Province, and Moreover for the hearing and Determining of diverse fellonyes murders Transgressions & other misdeeds in the said Province commited and perpetrated assigned at w^{ch} time were p^{r}sent

His Excellency Charles Calvert Esq Cap^{t} General and Cheif Justice.

The Hono^{ble}
Philip Calvert Chancelo^{r}
Willm Calvert
Tho: Truman &
Jesse Wharton
Esqs

The Court being Called Comanding all Justices of peace Coroners Stewards of Leets and libertyes, and other officers that have taken any Inquisitions Indictm^{ts} Recognizances whereby they have let any man to Bayle let them put in their Records thereof that his Lo^{pps} Justices may pceed.

John Griffin bound over the last Court, for hoggstealing, Thomas Griffyn and Thomas Wynn his security in 5^{l} a peice himself in 10^{l} being called appeared not wherefore ordered his Recognizance be Estreated.

Thomas Wright and Morgan Joanes bound to psecute ditto Griffin both appeared to save their Recognizances.

John Renny p^{r}sented by the Grand Inquest for want of psecution was acquitted by pclamation. & Discharged payinge his ffees.

John ffitzherbert bound over upon the comp^{lt} of Garrat Vanswearingen that the said ffitzherbert Challenged him, was Discharged from his said Recognizance Vanswearing Declaring to the Co^{rt} that they were agreed

ffrances Roades the wife of Abraham Roades bound over to this Co^{rt} for scandalous words ag^{t} the Right hono^{ble} the Lord Proprietary appeared, and the Co^{rt} upon Examination of the matter found that the sd Abraham was in some pt guilty aswell as his wife, and because their was no Grand Jury this Co^{rt} ordered that they both be comitted to y^{e} Sheriff of St Maryes County by him to be Kept untill the next Co^{rt}, unlesse they shall Tender such Responsable Bayle to the Co^{rt} as the Co^{rt} shall approve of sitting the Co^{rt}.

Then did Abraham Roades Tender Cap^{t} John ffitzherbert & Mr Thomas Courtney to the Co^{rt} for Bayle who accepted thereof. Liber J J

Then did the sd Abraham Roades acknowledge a Recognizance to the Right hono:^{ble} the Lord Proprietary in the sume of One hundred pounds sterling to be leavyed &c & then did also y^{e} sd John ffitzherbert & Thomas Courtney acknowledge a Recognizance to the Right hono:^{ble} the Lord Proprietary in the sume of fifty pounds sterling a peice to be leavyed of their Respective goods and Chattels Lands and Tenem^{ts} upon Condition that if the said Abraham Roades and ffrances his wife shall be and appeare at St Maryes the next Provincial Co^{rt} before his Lo^{pps} Justices then p^{r}sent & not Dept the Co^{rt} without lycense and in the meane time to be of good behaviour then the said Recognizances to be voyd and of none Effect otherwayes to Remaine in force. p. 524 [i.e., p. 526]

Ven fac to the Sheriff of Cal^{t} County to Cause Thomas Sprigg Robert Tyler and to appear next Co^{rt} about a wolfes head

Ven fac to the Sheriff of Ann Arundell County to Cause Richard George Puddington Thomas Beson and Robert ffranklyn and John appeare the next Co^{rt} to answere &c.

The Co^{rt} adjourned untill 8th Aprill next

Maryland ss. A Booke of the Records of the Provinciall Court of the Right hon:^{ble} Caecilius absolute Lord and Proprietary of the Province of Maryland and Avalon Lord Baron of Baltamore &c begun the Eleaventh day of ffebruary in the one and Fortieth yeare of his said Lordshipps Dominion over this Province of Maryland and in the yeare of our Lord One Thowsand six hundred Seaventy and Two. Liber M M p. 1

Robert Ridgely Clerke of the same Court

Maryland ss. At a Provincial Court of the Right hono:^{ble} the Lord Proprietary holden at the Citty of St Maryes on Tuesday the Eleaventh day of February in the 41th yeare of the Dominion of his said Lo^{pp} over Maryland &c Annoq Domini 1672 before his Lo^{pps} Justices thereunto assigned and there Continued untill the thirteenth day of the same February on w^{ch} said Eleaventh day was p^{r}sent.

His Excellency Charles Calvert Esq Cap^{t} Generall & Cheif Justice.

The hono:^{ble} Philip Calvert Esq Chancelour.
William Calvert
Thomas Truman &
Jesse Wharton Esqs.

Liber M M His Excellency The Cap^{t} Generall upon the Suggestion of John Quigley on the behalfe of his partner Garrat Vanswearingen, that John Litchington Master of the ship Mary of London (for whome the said Vanswearingen was Security for his Dutyes) had absented himself and was gone into Virginia and it was conceived the ship would goe away without Clearing if not prevented, and so cause y^{e} sd Vanswearingen to come to be lyable to the forfeiting the bonds for w^{ch} he became Jointly bound with the said Litchington to ye Lord Proprietary, wherefore his Excl̄ly upon the said Suggestion issueing an ord^{r} to the Sheriff of St Maryes County to secure the sayles of y^{e} said ship untill further order, and now here at this day the said Litchington Desired of y^{e} Court that his sayles might be to him Delivered, and the said Vanswearingen appearing and objecting nothing to the Contrary, It is by the Court ordered that the said Litchington have his sayles Delivered unto him accordingly, he paying the officer five shillings for his paines in securing them and no more.

Thomas Kerey having peticioned his Excellency The Cap^{t} Generall that having transported himself and family out of Virginia into this Province to inhabite, & for that Reason had Rights due unto him for three hundred acres of land, and George Johnson of p. 2 Somerset County having at that time power to prove Rights graunt warrants and Survey Land the said Kerey applyed himselfe to y^{e} said Johnson for the same and having pved Rights to 300 Acres of land before the said Johnson had a warrant for the same & the said Johnson Surveyd 300 Acres accordingly for the said Kerey but never retorned the said Rights or Certificate to the Secretaryes office to be recorded to the great Damage of y^{e} sd Kerey, and his Excellency having Comanded the said Johnson by his warrant before this Co^{rt} to answere the same, who this day appearing alledged that he had Retorned the said Certificate & Rights for 300 Acres for y^{e} sd Pet^{r}, to the Secretaryes office but that the Pet^{rs} name as he understood was Carey to w^{ch} being but a mistake the said Johnson was Discharged and the Records being searched a Certifficate was found in lib ff ff fol 500 made by the said Johnson of 300 Acres of Land called Charges Adventure Surveyd for Thomas Carey. but the Rights appeared not wherefore it is ordered by the Co^{rt} that the said Carey pve his Rights anew and that Patent issue for ye sd land according

Christopher Rousby and ffrancis Swinfen peticion this Court that they were Sum̄oned to appeare as witnesses in December Co^{rt} 1669, on the behalfe of Thomas Tovey p^{lt} ag^{t} Thomas Brooke defend^{t}, and so from Court to Court untill Aprill Court last past being nine Courts in number, during all w^{h} time they did attend (as required

Liber M M

by severall writs) for the space of Five dayes to Each Co^{rt}, and in Aprill Co^{rt} aforesayd when the Cause came to hearing did appeare and give Evidence on the behalfe of the said p^{lt}, the said pet^{rs} humbly begg ord^{r} ag^{t} the said Tovey for their Charges at 30 Tob ꝑ day amounting in the whole to the Sum̄e of Thirteene hundred and fifty pounds of Tobacco a peice.

Upon w^{ch} said peticion of the said Rousby and Swinfen It is by the Co^{rt} ordered that Thomas Tovey in y^{e} said peticion named doe pay unto the said pet^{rs} Each of them thirteene hundred and fifty pounds of Tobacco, for their attendance & Expences in wayting upon the said Cause in all amounting to the sum̄e of Two Thowsand seaven hundred pounds of Tobacco and Caske. It being allowed to them by this Co^{rt} for their attendance as aforesayd.

Then did Richard Smith of Calvert County gent^{l} acknowledge in open Court that his Excellency Charles Calvert Esqꝫ had payd unto him the sum̄e of Fourteen Thowsand pounds of Tobacco in full satisfaction of a bond of Twenty Thowsand pounds of Tobacco passed unto the said Smith by the hono:^{ble} Will̄ Calvert Esqꝫ which said bond the said Smith did here in open Co^{rt} declare he would Deliver up upon Demand to the said William or his assignes.

Then did the Sheriff of Calvert County bring into this Co^{rt} the body of Rich̄d Smith of Calvert County gent^{l}, by him taken upon a writ of cap ad sat at suite of Peter Corcellis issueing out of this Co^{rt} & retornable here this day w^{ch} said Smith was Delivered into the Custody of the Sheriff of St Maryes County by him to be Kept in prison untill he should satisfy unto the said Peter the sum̄e of 34089^{l} Tob. and the said Richard in mercy &^{c}

Benjamin Cloyster p^{lt} } To his Excellency Charles Calvert Esqꝫ p. 3
ag^{t} } Cap^{t} Generall the hono^{ble} the Chancelour,
Richard Smith adm^{r} of } and the Rest of the Justices of the Pro-
Tho: Manning deft } vincial Court

The humble peticion of Benjamin Cloyster p^{lt}. Humbly sheweth.

That yo^{r} pet^{r} comenced two suites ag^{t} Richard Smith, Adm^{r} of Thomas Manning in Calvert County Court, who appeared in June last in the said Court and pleaded plene administravit, and to p^{r}vent a fi:fac issueing out ag^{t} the Testato^{rs} Estate which then could have beene found, the said Richard prayed imparliance till August Court, and then would satisfy the Court by his accompt that he had fully administered which was graunted, That in August Court it appeared by his accompt that he had very great quantityes of Tob in his hands belonging to the Testato^{rs} Estate which were assets in his hands and ought to pay debts, but the interest transplanted and Converted to his owne use, and being so found faulty the Court granted Judgm^{t}

Liber M M ag^{t} Richard Smith Adm^{r} of Thomas Manning in August Court, that notwithstanding the said Judgem^{t} the said Richard utterly denied to pay yo^{r} pet^{r} pursuant thereunto, That yo^{r} pet^{r} in November Co^{rt} last went to Mr Bankes the then and full Clerke of the said Court for Execution thereupon who made out Execution by cap ad sat ag^{t} the body of the said Richd̄ the Adm^{r} according to presidents there in like nature, and the said Richard being thereupon taken in Execution, the said Richard pcured a supsedeas after Execution served to discharge his body by reason whereof yo^{r} pet^{r} is not only in danger to lose his debt but the benefit of his Judgem^{t}, obteined at his very great Charge & Expence of time, which supsedeas being graunted contrary to practise being after Execution served w^{ch} appearing yo^{r} pet^{r} humbly prayes that the supsedeas may be set aside and the said Richard may be againe taken in Execution.

Tho: Bland And yo^{r} pet^{r} shall pray.

Upon the foregoing petition of Benjamin Cloyster, Exhibited to this Co^{rt} by the hand of Thomas Bland gent^{l} one of the Attorneys of this Co^{rt} & M^{r} John Morecroft Attorney for Smith who sued out the Supsedeas aforesayd being p^{r}sent in Co^{rt} and the case being fully argued by the said Attorneys of both sides, the Co^{rt} is all Clearly satisfyed and it is their Judgem^{t} that in this case a supsedeas ought to issue, the Execution being taken out wrong but that the p^{lt} may take out Execution ag^{t} the Estate of the Testato^{r} in the defend^{ts} hands if he thinke fit.

Then did the Sheriff of Charles County bring into this Court the bodyes of ffrancis Kilborne and Elizabeth his wife by him taken upon a writ of Cap ad sat at suite of Thomas Hussey issueing out of this Court, and retornable here this day w^{ch} said ffrancis & Elizabeth were by the Court comitted unto the said Sheriff of Charles County by him to be Kept in prison untill they should satisfy the said Thomas the sum̄e of One hundred Thowsand pounds of Tobacco with costs of suite and the said ffrancis and Elizabeth in mercy &c.

p. 4 Then was Nicholas Best gent^{l} admitted and sworne one of the Attorneyes of this Court and tooke his place accordingly.

Benjamin Rozer
ag^{t}
Richard ffowke

40 s The Court fined Ignatius Courseene gent^{l} one of the Coroners of Charles County the sum̄e of forty shillings sterling for that he did not retorne this writ it appearing to y^{e} Co^{rt} that he had received it. After the Court Samuell Cressy retorned the said writ to the office Endorsed thus. The within named Richard Fowke is not to be found in my Baliwick I Cawsine Coroner.

On the backside of a Cap ad sat directed to ye Sheriff of Dorchester County agt John Brooke Chirurgion at the suite of John Peerce for 3008l of Tob & returnable here this day was thus written. Liber M M

By vertu of this writ I have Executed the body of the said John Brooke and after Execution the said Brooke did satisfy unto the said John Peerce the full sum̄e within specifyed so that his body I need not have at the day and place appointed.

Tho: Taylor Sheriff.

On the backside of a scire fac directed to the Sheriff of Calvert County between Humphry Limbry & Wm Smith retornable here this day was thus written vizt.

The within named William Smith is not found in my Baliwick therefore I could not Execute this writ as thereby I am comanded

Chr Rousby Sheriff.

Garrat Vanswearing
agt
Thomas Mathewes &
Henry Adams Exrs of
George Manwaring

On the backside of a fi:fac directed to ye Sheriff of Charles County between these ptyes for 1736l Tob was thus written (vizt) The within mentioned Henry Adams and Thomas Mathewes have not any goods or Chattels of George Manuwaring Deceased in my Baliwick.

Benja Rozer Sheriff.

Robert Crosman
agt
The same Exrs ut supra

On the backside of a fi:fac directed to ye Sheriff of Charles County between these ptyes for 10779l Tob was thus written.

The within named Thomas Mathewes and Henry Adams have not any goods or Chattells of George Manwaring deceasd within my Baliwick whereof the within specefyed quantity of Tobacco I can make as by this writ I am comanded Benja: Rozer Sheriff.

John Gilbert
agt
Philip Shapleigh

In this Cause the ordr that was made the last Cort whereby it is referred to auditors is continued untill the next Cort the badnes of the weather hindering ye auditing and stateing the account.

John Atkey
agt
Wm Boyden

William Boyden was attached to answere unto John Atkey in a plea of Trespas upon the case. p. 5

And whereupon the said John by George Parker his Attorney Complayneth that whereas one Alexandr Mory Minister being lawfully possessed of one Man servant called or Knowne by the name of Thomas Chew for and during the Terme of foure years from the day of the date of a certeine writing undr the hand and seale of

Liber M M the said servant Thomas bearing date the 20th day of February 1668, And whereas the said Alexander by and with the free will Consent and good liking of the said servant Thomas The Eight and Twentieth day of July 1670 on the backside of the said writing, under the hands of the said Alexander and the said servant Thomas, did assigne all his Right and interest of and in the said certeine writing and the said servant Thomas unto the said John Atkey, And the said John saith that he had reteyned him the said servant Thomas in his service to serve him the said John for and during the Residue of ye said Terme of foure years mentioned and Expressed in the said certeine writing then to come and unexpired, And being of him the said servant Thomas lawfully possessed, the said servant Thomas the 28th day of July 1671 Run away and Depted out of ye service of the said John, wch said servant Thomas afterwards the Eighth day of November 1671 came to the hands and possession of the said Wm Boyden, yet the said Wm Knowing the sd servant Thomas to be the servant of him the said John and to him of Right to belong and pteine, and devising and fraudulently intending Craftily and subtilly to Deceive and defraud the said John of ye said servant Thomas the said servant to the said John although the said Wm by him the said John often Required hath not Delivered, but the said servant Thomas to him hitherto to Deliver hath Denyed, and as yet doth Deny, and unjustly Deteyne contrary to the act of Assembly in that case made & provided, To the great Damage of the said John whereupon he saith he is Damnifyed and hath lost to the vallue of Eight Thowsand pounds of Tobacco, and thereupon he bringes his suite.

And the said Wm by Benjamin Rozer his Attorney Cometh and defendeth the wrong and injury when &c and saith that he is in no wise guilty of ye premises alledged agt him by the said John, and this he prayeth may be Enquired into by the Country and the said plt likewise.

Therefore Comand is given unto the Sheriff of St Maryes County that he cause to come before the Justices of the Provincial Court to be held at the Citty of St Maryes the Eleaventh day of February next being the first day of the same Court Twelve &c by whom &c who neither &c because aswell &c to recognize &c and the same day is given to both ptyes.

At which day that is to say the 11th day of February in the 41th yeare of ye Dominion of Caecilius &c Annoq Domini 1672 came aswell the said John Atkey by George Parker his Attorney as the said Wm Boyden by Benjamin Rozer his Attorney And the Jurors of that Jury likewise came to wit Wm Thompson Henrick Johnson
p. 6 Jesse Allen Robert Clerke Richard Owen Richard Dawson John Raven Charles Clerke John Barber George Charlesworth Peter Evers and Abraham Roades who to say the truth in the premises being

Elected tryed and sworne upon their oathes doe say that they finde for the Defend^t^ with costs of suite, wherefore it is by the Court here Considered that the said W^m^ Boyden Recover ag^t^ the said John Atkey the sum̃e of nine hundred ninety seaven pounds of Tobacco for his costs and Charges in this behalfe vexatiously susteined and the said John be in mercy for his false Complaint. Execution issued. Liber M M

John Litchington ag^t^ John Maltby } Comand was given to the Sheriff of St Maryes County that he should take John Maltby late of St Maryes County Marchant and him safely Keepe so that he have his body before the Justices of y^e^ Provincial Co^rt^ to be held at the City of St Maryes the Eleaventh day of February next to answere unto John Litchington of a plea of Trespas upon the case, at w^ch^ said Day came aswell the said John Litchington by Kenelm Chiseldine his Attorney as the said John Maltby in his propper pson by the Sheriff of y^e^ County aforesd brought to the barre, and the said Sheriff now Retornes that he tooke the body of the said Defend^t^, and that he now had him ready, upon w^ch^ the said Defend^t^ being ordered by y^e^ Co^rt^ here to put in speciall bayle in the said Co^rt^ here to answere the said Accõn, and pay the Condemnation, or render his body to the Keeper of the prison of the Lord Proprietary if he should in the said accoñ be Convict the said Defend^t^ rendered himselfe to the prison aforesayd upon w^ch^ the said John Maltby is by the Court Comitted to the said prison therefor to remaine untill he shall pforme the said ord^r^

John Maltby late of St Maryes Citty Marchant was attached to answere unto John Litchington of a plea of Trespas upon the case.

And whereupon the said John Litchington by Kenelm Chiseldine his Attorney complaynes that whereas the said John Maltby the 13th day of December in the yeare of our Lord God 1671 at New Yorke in the County of New Yorke did in psuance of a certeine Contract &c Charter pty, made betweene them the said John Litchington Marriner M^r^ & pt owner of the good ship called the Mary of London on the one pty and the said John Maltby by the name of John Maltby of Newhaven in New England Marchant on the other pty had given and Delivered unto the said John Litchington his bill of Exchange according to the use of Marchants to one John Nethway in Fiall directed and by the same his bill of Exchange had appointed and authorized him the said John Nethway to pay unto the said John Litchington the sume of One hundred and Twenty pounds sterling at Tenn dayes sight of y^e^ said bill of Exchange, the said John Maltby did then and there assume upon himself and in Consideration thereof to y^e^ said John Litchington did faithfully pmise that if y^e^ said John Nethway should not content satisfy and pay unto y^e^ said John Litchington the said sum̃e of 120^l^ sterl̃ at ten dayes sight according to the Tenour & Effect of y^e^ said bill of Exchange that he the said John

Liber M M Maltby the said som̄e of 120^{l} sterl̄ to him the said John Litchington when thereunto required would well truly content & pay, And the said John Litchington in fact saith that he the said John Litchington did shew the 27th of January 1671 the said bill of Exchange of 120^{l} sterl̄ unto the said John Nethway and Required him the said John Nethway to pay the said sum̄e of One hundred and Twenty pounds ster^{l} according to the Teno^{r} of y^{e} said bill of Exchange, w^{ch} said bill of Exchange y^{e} said John Nethway wholy refused and denyed to accept and pay, whereby action hath accrued to the sd John Litchington to require & have of the said John Maltby the said 120^{l} sterl̄., p. 7 Nothwthstanding w^{ch} the said John Maltby the said pmise and assumption as aforesayd made little Reguarding but devising and fraudulently intending him the said Litchington, the said One hundred & Twenty pounds sterl̄ to Defraud & Deceive, the said 120^{l} sterl̄ though often required to him the said John Litchington according to his promise hath not payd but the same altogether denyes.

And the said John Maltby by Vincent Lowe his Attorney cometh and Defendeth the said wrong and Injury when &c, and saith that he did not assume and promise in manner and forme as the said John Litchington hath above Declared ag^{t} him and of this he putts himself upon the Country and the said John Litchington likewise.

Therefore Comand is given to the Sheriff of St Maryes County, that he Cause to come before the Justices of the next Provincial Co^{rt}, to be held at the Citty of St Maryes the Eleaventh day of ffebruary next being the first day of the said Co^{rt} Twelve &c by whom &c who neither &c because aswell &c to Recognize &c, and the same day is given to both ptyes

At w^{ch} day that is to say the Eleaventh day of ffebruary in the 41th yeare of the Dominion of Caecilius &c Annoq̧ Domini 1672 came aswell the said John Litchington by Kenelm Chiseldine his Attorney as the said John Maltby by Vincent Lowe his Attorney & the Juro^{rs} of that Jury likewise came to wit Thomas Paine Richard Lloyd Randall Hanson Marmaduke Symm Henry Hide George Beckwith Richard Ladd Robert Tyler George Johnson William Thompson Job Walton and Joshua Doyne. who to say the truth in the p^{r}mises being Elected tryed and sworne upon their oathes doe say that they finde for the p^{lt} One hundred and Twenty pounds sterling Damages with Costs of suite, wherefore it is considered by the Co^{rt} here that the said John Litchington recover ag^{t} the said John Maltby aswell the said sum̄e of One hundred and Twenty pounds sterling for his Damages in this behalfe susteined as also the sum̄e of six hundred and fifty pounds of Tobacco for his Costs and Charges in this behalf Expended and the said John Maltby in mercy &c. And afterwards to wit the same day before the said Justices the said Defend^{t} John Maltby being convict by the Judgem^{t} of the Co^{rt} here to pay to the said John Litchington aswell the said sum̃e of One hundred and Twenty pounds sterling for his Damages Liber M M by occasion of the p^{r}mises as also the said sum̃e of six hundred and fifty pounds of Tob for his Costs of suits by him Expended in and about the psecution of the said suite, Thereupon the said Defend^{t} John Maltby is by the Co^{rt} Comitted to the Keep of the prison of the said Lord Proprietary in Execution for the said One hundred and Twenty pounds sterling and the said six hundred and fifty pounds of Tobacco costs there to remaine untill he hath satisfyed the said John Litchington, the said sum̃e of One hundred and twenty pounds sterling and the said sum̃e of six hundred and fifty pounds of Tobacco whereof by the Judgem ^{t}of the said Court he is Convict as aforesayd.

John Litchington
ag^{t}
John Maltby

Comand was given unto the Sheriff of St Maryes County that he should take John Maltby late of S^{t} Maryes Citty Marchant, and him safely Keepe so that he have his body before the Justices of the Provincial Co^{rt} to be held at the City of St Maryes the Eleaventh day of February next to answere unto John Litchington of a plea of Trespas upon the case, at w^{ch} said day came aswell the said John Litchington by Kenelm Chiseldine his Attorney as the said John Maltby in his prop pson by the Sheriff of the County aforesayd brought to the p. 8 barre and the said Sheriff now Retornes that he tooke the body of the said Defend^{t}, and that he now had him ready upon w^{ch} the said def^{t} being ordered by the Co^{rt} here to put in Special Bayle into the said Co^{rt} here to answere the said ac̄c̄on & pay the Condemnac̄on or render his body to the Keep of the prison of the Lord Proprietary if he should in the said ac̄c̄on be Convict, the said Defend^{t} rendered himself to the prison aforesayd upon w^{ch} the said John Maltby is by the Co^{rt}, committed to the said prison there for to remaine untill he shall pforme the said ord^{r}.

John Maltby late of the City of St Maryes Marchant, was attached to answere unto John Litchington in a plea of Trespas upon the case.

And whereupon the said John Litchington by Kenelm Chiseldine his Attorney complaineth that whereas the said John Maltby by the name of John Maltby Marchant by a certeine writing obligatory bearing date the Twenty third day of November in the 23^{d} yeare of his Ma:^{ties} Reigne Anno Domini 1671 did Covenant bargaine & agree with one John Quigley by the name of John Quigley of Virginia Marchant that the said John Maltby and one certeine John Nethway or Either of them or their ord^{r} should well and truly Deliver to the said John Quigley or his ord^{r} at the arrivall of the good ship called the Mary of London, whereof John Litchington is Comand^{r}, and then riding at Anchor in the Governm^{t} of New Jersey, and bound for ffiall and thence to Virginia, to pay fifty pypes of Mar-

Liber M M chantable ffiall wines, to be Rackt and full upon the Receipt thereof the said John Quigley did thereby pmise to pay unto the abovenamed ptyes or their ord^{r} the sum̃e of One Thowsand Two hundred pounds of good marchantable Tobacco and Casque to be punctually Delivered within thirty dayes after the said ships arivall in Virginia without fraud or further Delay for the Just & true pformance of w^{ch} bargaine or contract they severally bound themselves their heires Ex^{rs} & Adm^{rs} in the sum̃e of five hundred pounds sterling to be leavyed on the pty that shall not pforme that agreem^{t} as by the said writing sealed with the seale of them the said John Maltby and John Quigly fully appeareth, and whereas the said John Litchington afterwards to wit y^{e} 29th day of November aforesayd in the year aforesayd did at the speciall Instance & Request of him the said John Maltby by a certeine writing obligatory whose date is the day & yeare aforesayd for the greater security and true pformance of the said bargaine and agreem^{t}, the same John Litchington to y^{e} said John Quigley together with the same John Maltby at the request of the same John Maltby graunted himself to be holden to y^{e} said John Quigley in the sum̃e of five hundred pounds sterl̄ with condition for the pformance of y^{e} said agreem^{t}, and himself ag^{t} the said John Quigley in pledge put for the same five hundred pounds sterling to be payd to the said John Quigley upon non pformance of y^{e} same bargaine, w^{ch} said contract so as aforesayd made betweene the said John Maltby and the said John Quigley the said John Maltby principall Debito^{r} at the arivall of y^{e} said ship the said fifty pypes of wine according to the Condition did n[ot] deliver but the same to him to Deliver altogether refused, whereby the same John Quigley afterwards to wit the 9th day of October in the 41th yeare of the Dominion of Caecilius &c Annoꝗ Domini 1672 at the Citty of St Maryes a certeine plaint ag^{t} y^{e} same John Litchington before his Lo^{pps} Justices of y^{e} Provincial Co^{rt} leavyed for the sd five hundred pounds by virtu of w^{ch} plaint the said John Litchington was by a writ issuing out of y^{e} said Provincial Co^{rt} retornable the 10th day of December to the Sheriff of St Maryes County directed was by the said sheriff arrested for y^{e} sd debt of five hundred pounds sterling and by virtu of the same the said 500^{l} sterl̄ to y^{e} said Quigley payd and gave satisfaction, Therefore p. 9 nevertheles the same John Maltby though often requested him the said John Litchington ag^{t} the said John Quigley for the said 500^{l} sterl̄ whereof he put himself pledge ag^{t} the same for the same John Maltby hath not acquitted but him to acquit gainesayd, and him hitherto to acquite gainesaith whereupon the said John Litchington saith he is Damnifyed and hath Damage to the vallue of five hundred pounds sterling, and thereupon he bringeth his suite.

And the said John Maltby by Vincent Lowe his Attorney cometh and Defendeth the force and injury when &c, and saith that he is in no wise guilty of the p^{r}mises in such manner and forme as the said John Litchington hath by his Declaration objected against him, and of this he puts himself upon the Country, & y^{e} sd John Litchington likewise Liber M M

Therefore Comand is given to y^{e} sheriff of St Maryes County that he cause to come before the Justices of y^{e} Provincial Co^{rt} at the Citty of St Maryes on the Eleaventh day of February next being the first day of y^{e} same Co^{rt} Twelve &^{c} by whom &^{c} who neither &^{c} because aswell &^{c} to Recognize &^{c} and the same day is given to both ptyes.

At w^{ch} day that is to say the 11th day of ffebruary in the 41th yeare of the Dominion of Caecilius &^{c} Annoꝫ Domini 1672 came aswell the said John Litchington by Kenelm Chiseldine his Attorney as the said John Maltby by Vincent Lowe his Attorney, and the Juro^{rs} of that Jury likewise came to wit Thomas Paine Richard Loyd, Randall Hanson Marmaduke Symms Henry Hide George Beckwith Richard Ladd Robert Tyler, George Johnson William Thompson Joab Walton and Joshua Doyne—who to say the truth in y^{e} p^{r}mises being Elected tryed & sworne upon their oathes doe say that they finde for the p^{lt} Twenty Thousand pounds of Tobacco Damages and Costs of suite, wherefore it is by the Court here Considered that the said John Litchington Recover ag^{t} the said John Maltby aswell the said sum̃e of Twenty Thousand pounds of Tobacco for his Damages in this behalfe susteined as also the sum̃e of six hundred and fifty pounds of Tobacco for his Costs and Charges about this suite Expended and the said John Maltby in mercy &^{c}.

And afterwards to wit the same day before the said Justices the said defend^{t} John Maltby being Convict by the Judgem^{t} of the Co^{rt} here to pay to the said John Litchington aswell the said sum̃e of Twenty Thousand pounds of Tobacco for his Damages by occasion of y^{e} p^{r}mises as also the sum̃e of six hundred and fifty pounds of Tobacco for his costs of suite by him Expended in and about the prosecution of the said suite—Thereupon the said Defend^{t} John Maltby is by the Co^{rt} Comitted to y^{e} Keeper of the prison of the said Lord Proprietary in Execution for the said Twenty Thowsand pounds of Tobacco, and the said six hundred and fifty pounds of Tobacco costs there to remaine untill he hath satisfyed the said John Litchington, the said sum̃e of Twenty Thousand six hundred and fifty pounds of Tobacco whereof by the Judgem^{t} of the said Court he is Convict as aforesayd.

ffrancis Kilborne & ux
ag^{t}
Samuell Cressy

Samuell Cressy late of Charles County in the said Province was Sum̃oned to answere unto ffrancis Kilborne and Elizabeth his wife Administratrix of y^{e} goods & Chattels of Daniel Johnson de-

Liber M M ceased in a plea that he rend^{r} unto them three thousand seaven hundred Seaventy and nine pounds of Tobacco w^{ch} he unjustly Deteineth.

And whereupon the said ffrancis and Elizabeth by Robert Carvile their Attorney say that whereas the said Samuell Cressy upon the
p. 10 25th day of May in the yeare of our Lord 1669 by his certeine writing obligatory sealed with the seale of the said Samuell here in Co^{rt} pduced whose date is the day and yeare abovewritten did acknowledge himselfe to owe and stand indebted to the said Daniel Johnson in the full and Just sum̃e of One Thowsand Eight hundred pounds of sound Merchantable leafe Tobacco pcell off y^{e} aforesayd sum̃e of 3779^{l} of Tobacco to be payd Conveniently in Charles County afsd on or before the tenth day of November next Ensueing, And whereas the said Samuell Cressy upon the said 25th day of May aforesayd in the yeare aforesayd by his certeine other writing obligatory sealed with the seale of him the said Samuell and hereafter in Co^{rt} pduced whose date is likewise the day and yeare abovewritten, did acknowledge himself to owe and stand indebted unto the said Daniel Johnson the sum̃e of One Thousa[nd] nine hundred seaventy and nine pounds of Tobacco & caske residue of the aforsd Sum̃e of 3779^{l} of Tobacco to be payd Conveniently in Charles County at or before the tenth day of November next ensueing the date thereof w^{ch} said severall sum̃es of Tobacco in the whole amounting unto the sum̃e of three Thousand seaven hundred seventy and nine pounds of Tobacco, the said Samuell though often thereunto requested to the said Daniel Johnson in his life time or to the said Elizabeth while she was sole to whome L^{res} of Admc̃on of all the goods & Chattells w^{ch} were the aforesd Daniels at the time of his Death by the hono:^{ble} S^{r} W^{m} Talbot Baron^{t} Cheif Judge fo[r] probate of wills and graunting of Admc̃ons the one & Twentieth day of January in the yeare of our Lord 1670 were comitted or to them the said Francis or Elizabeth since their Espowsalls betweene them celebrated hath not renderd bu[t] the same to them to render hath Denyed and the same to them the said ffrancis & Elizabeth to render as yet doth Deny and unjustly Deteyne, whereupon they are Damnifyed and have Damage to the vallue of 5000^{l} of Tob and thereupon the[y] bring their suite, And the said ffrancis and Elizabeth bring here into Co^{rt} the L^{re} of Admc̃on to her the said Elizabeth graunted of the goods and Chattells of the aforesayd Daniel Johnson that it may appeare to the Co^{rt} here that they have Administration.

And the said Samuell Cressy by Benjamin Rozer his Attorney comet[h] and Defendeth the force and injury when &^{c} and prayeth liberty of Speaki[ng] thereunto untill the Eleaventh day of ffebruary next being the first day of the next Provinciall Co^{rt} and the same Day is given to both ptyes.

At w^{ch} day that is to say the Eleaventh day of ffebruary in the

4th yeare of the Dominion of Caecilius &^{c} Annoq̧ Domini 1672 came to said ffrancis & Elizabeth his wife by Robert Carvile their Attorney and offered themselv[es] ag^{t} the said Samuell Cressy of and upon the p^{r}mises and the said Samuell Cressy appeared not but made default wherefore it is considered by the Co^{rt} here that the said ffrancis and Elizabeth Recover ag^{t} the said Samuell Cressy aswell the said sum̄e of three Thowsand seaven hundred seaventy and nine pounds of Tobacco as also the sum̄e of three hundred fifty and seaven pounds of Tobacco for their costs and Charges in this behalfe Expended and the said Samuell in mercy &c. Liber M M

Daniel Jenifer ⎫ Memorandum that at this Co^{rt} vizt the Eleaventh p. 11
ag^{t} ⎬ day of ffebruary in the 41th yeare of the Dominion
John Blomfeild ⎭ of Caecilius &c Annoq̧ Domini 1672 Came Daniel Jenifer one of the Attorneyes of this Co^{rt} and Exhibiteth to the Co^{rt} here his certeine bill agt John Blomfeild gentł one of the Attornyes of this Co^{rt} in a plea that he rend^{r} unto him the sum̄e of six Thowsand five hundred and fifty pounds of Tobacco w^{ch} to him he oweth and unjustly Deteineth &c.

And whereupon the said Daniel in his prop pson saith whereas the said John upon the Eighth day of July in the 39th yeare of the Dominion of Caecilius &c Annoq̧ Domini 1670 by his certeine writing obligatory sealed with the seale of him the said John and here in Co^{rt} pduced whose date is the day & yeare abovewritten did acknowledge himself to owe and be indebted to the said Daniel Jenifer the full and Just sum̄e or quantity of three Thousand five hundred and fifty pounds of good sound Marchantable Tobacco and casque, To be payd unto the said Daniel Jenifer or to his certeine Attorney his Executo^{rs} Adm^{rs} or Assignes in some Convenient place in St Maryes County before or upon the 10th day of October w^{ch} should be in the yeare of our Lord 1671, To the which paym^{t} well and truly to be made the said John Blomfeild did binde himself his heires Executo^{rs} and Adm^{rs} firmly by these p^{r}sents and whereas also the said John upon the same Eighth day of July in the yeare afd̄ by his other certeine writing obligatory sealed with the seale of him the said John and here in Co^{rt} likewise pduced whose date is the day and yeare above written, did acknowledge himself to owe and be indebted to the said Daniel Jenifer the full and Just sum̄e or quantity of Three Thousand pounds of good sound Marchantable Tobacco and Casque, To be payd unto the said Daniel Jenifer or to his certeine Attorney his Ex^{rs} Adm^{rs} or assignes in some Convenient place in St Maryes County aforesayd before or upon the Tenth day of October next Ensueing the date thereof, To the w^{ch} paym^{t} well and truly to be made the sd John Blomfeild did binde himself his heires Executo^{rs} Adm^{rs} firmly by those p^{r}sents w^{ch} said several sum̄es of Three Thowsand five hundred and fifty pounds of

Liber M M Tobacco and Three Thowsand pounds of Tobacco amounting in the whole to the sum̄e of six Thowsand five hundred and fifty pounds of Tobacco the said John though often thereunto Required to the said Daniel according to the Tenour of the writings obligatory aforesayd hath not hitherto payd but the same to pay doth altogether Deny and Refuse whereupon the sd Daniel saith he hath losse & is Damnifyed to the vallue of Tenn Thowsand pounds of Tobacco and thereupon he pduces his suite.

and now here at this day to wit ye 11th day of ffebruary in the 41th yeare of the Dominion of Caecilus &c Annoq; Domini 1672 came the said John Blomfeild in his pp pson in open Cort and acknowledged Judgemt & consented that Judgemt should passe agt him for the said Tobacco in the Declaration mentioned so that Execution of the said Judgemt doe cease untill the first day of February wch shalbe in the yeare of our Lord 1673, wherefore the said Daniel remaineth agt the said John undefended thereof John Blomfeild.

Browning agt Coleman p. 12 Somerset County ss. Comand was given to the Sheriff of Somerset County that whereas John Browning lately in or Provinciall Cort held at the Citty of St Maryes to wit the 19th day of December in the 40th yeare of our Dominion over our said Province of Maryland Annoq; Domini 1671 by the Consideration of the same Court had Recovered agt John Coleman aswell a certeine debt of five Thowsand pounds of Tobacco as also the sum̄e of three hundred forty and Eight pounds of Tobacco for Costs of suite by Default of him the said John Coleman and the said John Browning came afterwards into our said Provincial Cort the Tenth day of this instant December in the 41th yeare of our Dominion over our said Province, and by the statute thereupon published and Declared, did choose to have Delivered unto him all the goods and Chattells of the aforesayd John Coleman besides his Oxen and Geare of his plough and in like manner the moyety of all his lands & Tenemts, to hold to him the goods and Chattells aforesayd as his owne pp goods and Chattells, and the moyety aforesayd as his ffreeholde to him and his assignes according to the forme of the Statute aforesayd untill the debt and Damages aforesayd shalbe thereupon leavyed, Therefore wee Comand you yt all the goods and Chattells of the aforesayd John Coleman besides his Oxen and Geare of his plough, and in like manner the moyety of all his lands and Tenemts in yor Baliwick of wch he the said John Coleman on the nineteenth day of December last past or at any time after was seized to the aforesayd John Browning you cause to be Delivered by reasonable price & Extent to hold to him the goods and Chattells aforesayd as his owne pp goods and Chattells and the Moyety aforesayd as his freeholde to hold to him & his assignes according to the forme of the Statute aforesayd, untill the debt and Damages aforesayd shalbe thereupon fully Leavyed, and in what manner you shall Execute this our writ you shall make appeare before our Justices of our Provincial Co^rt at our next Provincial Co^rt to be holden at St Maryes Citty the Eleaventh day of February next and have you also there this our writ Witnes &c the 14th of December 1672. Liber M M

And now here at this day to wit the Eleaventh day of ffebruary aforesayd came the said John Browning by John Morecroft his Attorney, and the Sheriff that is to say Thomas Jones gentl now Retornes a certeine Inquisition before him taken in these words (vizt)

Somerset County ss. An Inquisition taken by Indenture at Pocamoke in the County aforesayd the thirtieth day of January in the 41th yeare of the Dominion of Caecilius &c Annoq Domini 1672 before me Thomas Jones gentl Sheriff of the County aforesayd by virtu of the writ of his Lo^pp the Lord and Proprietary to me directed, and to this inquisition annexed by the oath of John Hilliard Robert Catlin William Davis Samuell Long Willm ffurnisse John King William Greene Nicholas Hudson Edward Wale James Hinderson Robert Houlston John Williams and John ffreeman, who say on their oath that John Coleman in the writ aforesayd the 19th day of December last past and after was seized in his Demesne as of ffee of a Tract of Land Conteyning five hundred acres more or lesse according to Survey made lyeing and being in Pocamoke River in the County aforesayd, of the Cleare yearly vallue in all issues over and above the Reprizes of One hundred pounds of Tobacco which all and singular the aforesayd John Coleman had for him Surveyed and Patented according to the Custome & Tenure of Maryland w^ch said Tract of land in the Tenure of the aforesayd John Coleman with all & singular the app̄tnces that is to say the moyety or halfe thereof for the Medietie of the said Land I the aforesayd Sheriff have Caused to be Delivered to John Browning in the writ aforesayd p. 13 named to be held to him and his assignes according to the forme of the Statute thence provided as his ffreeholde, untill his debt of five thowsand pounds of Tobacco, together with his Damages in the writ aforesayd mentioned fully thence he shall have leavyed, as the writ aforesayd wills and Requires, And further the Juro^rs aforesayd on their oath aforesayd say that the said John Coleman no other or more has or after the Recognizance of the Debt aforsayd had goods or Chattels Lands or Tenem^ts in the County aforsayd within their Knowledge, In Testimony of w^ch aswell I the said Sheriff as the Juro^rs aforesayd to this inquisition our seales alternately have put the 30th day of January & in the place & yeare abovesayd.

John Browning payd by Rule of Court the Sum̄e of nine hundred~~~~~~~~~~~~~~~pounds of Tobacco allowed by the Co^rt for Executing this writ.

Liber M M Thomas Jones ag^{t} Henry Smith } Henry Smith late of Som^{r}set County was attached to answere unto Thomas Jones one of the Attornyes of this Co^{rt} according to the libertyes and priviledges allowed &c in a plea of Debt &c.

And whereupon the said Thomas in his pp pson saith that whereas the said Henry upon the fourth day of Aprill in the 40th year of the Dominion of Caecilius &c Annoqȝ Domini 1672 by his certeine bill obligatory w^{ch} he the said Thomas, with the seale of the aforesayd Henry signed here brings in Co^{rt} whose date is the same day & yeare did acknowledge himself to owe to y^{e} aforesayd Thomas the sum̃e of Three Thowsand pounds of good sound Marchantable Tobacco in Caske to be payd Convenient in Manoakin River upon all Demands to the said Thomas his lawfull Attorney his Executo^{rs} Adm^{rs} or assignes, to the which paym^{t} well and truly to be made the aforesayd Henry did binde himself his heirs Executo^{rs} and Administrato^{rs} firmly by the said bill. Notwithstanding the aforesayd Henry although often Demanded the aforesayd sum̃e of Three Thowsand pounds of Tobacco in Caske hath not as yet Rendered but the same denyeth to pay and as yet Denieth whereupon the said Thomas saith he is Damnifyed and hath Damage to the vallue of five Thowsand pounds of Tobacco and thereupon he bringe[th] his suite.

And the said Henry Smith by Mathew Warde his Attorney Cometh & Defendeth the force and injury when &c, and the said Henry prayeth liberty of Speaking to the same untill the first day of the next Provincial Co^{rt} and it is graunted unto him being the Eleaventh day of February next and the same day is given to both ptyes.

At w^{ch} day that is to say the Eleaventh day of February in the 41th years of y^{e} Dominion of Caecilius &c Annoqȝ Domini 1672 came the aforesayd Thomas Jones in his pp pson and offered himself ag^{t} the said Henry Smith of and upon the p^{r}mises and the said Henry Smith appeared not but made default, wherefore it is Considered by the Co^{rt} here that the sd Thomas Jones Recover ag^{t} the said Henry Smith the said Three Thowsand pounds of Tobacco debt as also his Costs and Charges in this behalfe Expended and the said Henry Smith in mercy &c.

Therefore Comand is given to the Coroner of Somerset County that he take the said Henry Smith and him safely Keepe &c so that he have him here the Eighth day of Aprill next to satisfy unto the said Thomas Jones the said sum̃e of 3000^{l} Tob debt aforesayd with costs of suite. & to make retorne &.

p. 14 Samuell Lane of Ann Arundell County peticions this Co^{rt} that he was sumoned to appeare in December Co^{rt} last to testefy his Knowledge in an accoñ in this Co^{rt} depending betweene John Gilbert p^{lt} & Philip Shapleigh deft. on the behalfe of y^{e} defend^{t}, he craves allowance for his Charges ag^{t} the said Shapleigh.

Liber M M

The Co^{rt} doe ord^{r} the Defend^{t} Shapleigh to pay unto the said Samuell Lane the sum̃e of Two hundred and Tenne pounds of Tobacco for his Charges, the Co^{rt} allowing him 30^{l} of Tob p day, and allowed him for coming retorning & staying to attend seaven Dayes w^{ch} at 30^{l} Tob p day amounts to the said sum̃ of Two hundred & Tenn pounds of Tob.

Thomas Jones
ag^{t}
W^{m} Thompson
upon a scirce fac out of Chancery ordered that the Defend^{t} put in his plea in Two dayes after the Co^{rt} or Judgem^{t} to be awarded ag^{t} him by Default the said Defend^{t} filed his plea accordingly.

W^{m} Smith
ag^{t}
Richard Ladd
Richard Ladd
ag^{t}
W^{m} Smith
Henry Johnson
ag^{t}
Richard Ladd
Henry Johnson
ag^{t}
W^{m} Smith
These foure causes continued by vertu of an Injunction out of the high Co^{rt} of Chancery.

Josp̄ Allen
ag^{t}
Richard Ladd
Richard Ladd
ag^{t}
Henry Mitchell
Walter Carre
ag^{t}
John Eason
Lord Proprȳ
ag^{t}
Luke Barbor
These foure Causes continued untill the next Provincial Co^{rt}.

Curtis ffletcher
ag^{t}
Demetrius Cartwright
The same
ag^{t}
The same
Thomas Jones
ag^{t}
Mathew Nelson
These foure Causes Continued untill the next Provincial Co^{rt}.

Liber M M The same
ag^{t}
The same

p. 15 W^{m} Guard
ag^{t}
Trastram Thomas

In this Cause it is ordered by the Co^{rt} that they Come to tryall the next Provincial Co^{rt}.

Henry Beedle
ag^{t}
George Wells
The same
ag^{t}
The same
Richard Jones
ag^{t}
John Vyney
John Prat
ag^{t}
Thomas Philips
John Eason
ag^{t}
Walter Carre

These five Causes by Consent of y^{e} Attorneys of both sides are by the Justices Continued untill the next Provincial Co^{rt}.

Richard Hallet
ag^{t}
Nicholas Wyat
The same
ag^{t}
The same
John Edmondson
ag^{t}
George Robins
Nicholas Carre
ag^{t}
Toby Miles
Thomas Kendall
ag^{t}
George Munrow
Thomas Oliver
ag^{t}
George Munrow
Robert Doyne
ag^{t}
Pope Alvey

These Tenne Causes are by Consent of Attorneys of both sides Continued untill the next Provincial Court.

Liber M M

Henry Spry
ag^{t}
Hugh ffrench
Virlinda Stone
ag^{t}
Edmond Lindsey
Curtis ffletcher
ag^{t}
Daniel Jenifer

p. 16

Edmond Lister
ag^{t}
Thomas Momford
Christopher Rousby
ag^{t}
John Swayne
George Robins
ag^{t}
John Edmondson
John Blomfeild
ag^{t}
Peter Pake

These foure Causes by Consent of the Attorneys of both sides are Continued untill y^{e} next Provincial Co^{rt}

James Williams
ag^{t}
Jeffery Somerford
Daniel Jenifer
ag^{t}
John Tench

In these Two Causes attachm^{ts} issued the last Provincial Co^{rt} but not Coming to the hands of the Sheriff ordered by the Co^{rt} that they againe issue Retornable the next Co^{rt}.

Thomas Todd
ag^{t}
Ralph Williams
John Nethway
ag^{t}
Thomas Howe
John Nethway
ag^{t}
James Lee
Thomas Taylo^{r}
ag^{t}
Hugh Nash
Jonathan Sybrey
ag^{t}
Jeremiah Eaton & ux

These five Causes are by the Court Continued untill the next Provinciall Co^{rt}.

Liber M M William Calvert & Thomas Notley ag^{t} Philip Holleger	The Sheriff of Baltamore was in miserecordia the last Co^{rt} 40^{s} in this Cause and the Defend^{t} not appearing by himself nor Attorney It is by the Co^{rt} ordered that the said Sheriff be am^{r}ced 40^{s} sterƚ and be in mercy 5^{l} unlesse he bring him the next Co^{r}t
Abraham Roades ag^{t} Henry Sharrock	The Sheriff of Baltamore is in mercy 40^{s} unlesse he bring the Defend^{t} the next Co^{rt}.
John Quigley ag^{t} Samuell Cressy Morgan Jones ag^{t} Samuell Cressy	In these Two Causes the Sheriff having Retorned a Languidus ordered by the Co^{rt} that a Ducis Tecum issue in Each Cause
p. 17 John Quigley ag^{t} George Brewer	The was the Defend^{t} admitted in forma pawperis and M^{r} John Morecroft assigned him as Councell by the Co^{rt} and the Defend^{t} by his said Attorney imparles untill y^{e} next Provincial Co^{rt}.
Thomas Doxey ag^{t} Thomas Griffin Curtis ffletcher ag^{t} John Pollard W^{m} Ellis ag^{t} Henry Robinson Thomas More ag^{t} W^{m} Asbiston George Diamont ag^{t} Cornelius Carmial Thomas Hawkings ag^{t} Christopher Rousby & Garret Vanswearing Curtis ffletcher ag^{t} Edw: Fitzherbert & Caleb Baker	These Eight Causes are Continued untill the next Provinciall Co^{rt}.

Liber M M

Jonathan Sybrey
ag^{t}
John Wally

Richard Smith
ag^{t}
W^{m} Morgan
The Sheriff having Retorned a Languidus ordered that a Ducis Tecum issue.

Garrat Vanswearing
ag^{t}
Cornelius Steuart
Kenelm Chiseldine
ag^{t}
Cornelius Steuart
In these Two Causes the Sheriff of Ann Arundell County is fined 40^{s} in mercy unlesse he bring the defend^{t} the next Co^{rt}.

Henry Phipps
ag^{t}
Tho: Marsh
Tho Sympson
ag^{t}
Richard Edelen
& Just. Tennison
The Severall Defend^{ts} appeare by their Respective Attorneys & imple untill the next Provinciall Co^{rt}.

ffrancis Holland
ag^{t}
Hugh Connell
Hugh Connell late of Ann Arundell County planter, was attached to answere unto ffrancis Holland of a plea of Trespas and Ejectm^{t}. p. 18

And whereupon the said ffrancis by Kenelm Chiseldine his Attorney Complaineth that whereas George Wells gentl the 22th day of October in the 41th yeare of the Dominion of Caecilius &c did demise to him the said ffrancis Holland, aswell all that pcell of land Commonly called or Knowne by the name of Little wells lyeing and being in Ann Arundell County aforesayd in the woods betweene ffishing and Herring Creeke bay beginning at a marked white oake in the Line of the land called Wells and bounding on the East with a line Drawne south One hundred and sixteene perches to a marked white Oake in the line of the Land of Anthony Salloway by a slash side bounding on the South with the said Salloway his Land and Runing West and by North for the length of One hundred ninety six perches to a marked Oake being the Cornertree of the said Salloway['s] land bounding on the West with a line Drawne North to the land of Wells fifty pch[s] bounding on the North with the said Land, Running East and by North One hundred ninety five pches to the first marked Oake Conteyning by Estimation One hundred acres more or lesse as also that other pcell of Land Com̄only called or Knowne by the name of Wells hills lyeing and being in Ann

Liber M M Arundell County aforesayd in the branches of ffishing Creeke beginning at a marked Oake standing upon a hill, the said Oake being a Corner Tree of the land of Anthony Salloway, and Running South by the said Sallowayes line Eighty Perches to a marked Poplar being a forked Tree, then by a line Drawne West thirty perches to a marked Chestnut Tree, then by a line Drawne North from the said Chestnut for the length of three hundred and Twenty pches to a m^{r}ked Redd Oake, bounding on the North with a line Drawne East Two hundred and ninety Perches to a marked Chestnut Tree standing in the line of the land aforesayd Called Little Wells bounding East and South with the land of Anthony Salloway to the first marked Oake Conteyning by Estimation foure hundred and Twenty acres more or less with the apptnc̃es to have & to occupy to him and his assignes from the ffeast of the annunciation of the blessed Virgin Mary then last past untill the full end and Terme of five yeares to be Compleate and Ended by virtu of w^{ch} said Demise. the aforesayd ffrancis holland into the aforesayd severall pcells of Land with the apptnc̃es did Enter & was thereof possessed, and he the said ffrancis being so thereof possessed the aforesayd Hugh Connell afterwards to wit the Twelveth day of Novem^{r} in the forty first yeare of the Dominion of Caecilius &c by force & armes the said several pcells of Land with the āpptnces w^{ch} the aforesayd George Wells to him the said ffrancis Holland in forme aforesayd demised for the term aforsyd w^{ch} is not yet paste did Enter and him from the said pcells of Land with the āpptnces did Eject and other harmes to him did doe to the greate damage of him the said ffrancis and against the peace &c whereupon he saith he is Damnifyed and hath losse to the vallue of three Thousand pounds sterling and thereupon he bringeth his suite.

And the said Hugh Connell by John Morecroft his Attorney doth Come & Defe[nds] the force and injury when &c and the said Hugh prayeth liberty of Speaking thereunto untill the first day of ffebruary Court next and it is graunted unto him and the same day is given to both ptyes.

At w^{ch} day that is to say the Eleaventh day of ffebruary in the 41th p. 19 yeare of the Dominion of Caecilius &c Annoqȝ Domini 1672 the Defend^{t} in open Co^{rt} acknowledg[eth] the service of the Declaration, And thereupon it is this day ordered by the Co^{rt} by the assent of Kenelm Chiseldine Attorney for the p^{lt}, and John Morecroft Attorney for Henry Beedle and Sophia his wife late of the County of Annarundell that the said Henry and Sophia shalbe admitted defend^{ts}, who shall appeare without Delay by their Attorney aforesayd and shall Receive a Declaration and shall pleade the Generall issue thereunto this Co^{rt}, and to the tryall thereof the said Henry and Sophia shall appeare in their pp psons or by their Councell or Attorney and

Liber M M

shall acknowledge the Demise Entry and actuall Expullsion or in Default thereof Judgem^{t} shalbe Entred ag^{t} the Defend^{t} Hugh Connell the Casuall Ejecto^{r}, but any further psecution against him shalbe spared untill the said Henry & Sophia shall make default of the p^{r}mises and by the assent of the Councell it is further ordered that the said Henry and Sophia shall take no advantage ag^{t} the plt for his, not psecuting upon the tryall occasioned by his Default but the said Henry and Sophia shall pay to the p^{lt} the Costs by the Co^{rt} to be Taxed thereupon, and it is further ordered that the Lesso^{r} p^{lt} shalbe Chargeable with the paym^{t} of the Defend^{ts} costs by the Co^{rt} allowed by any meanes Taxed & adjudged.

James Nuthall
ag^{t}
Thomas Sprigg
Philip Udall
ag^{t}
Henry Mitchell
Henry Hosyer &
John Stagnes
ag^{t}
Francis Kilbourne
Roger Baker
ag^{t}
Thomas Gaunt
Vincent Atchinson
ag^{t}
Marke Cordea
Willm Harris
ag^{t}
Tho: Bennet
Marmaduke Syms
ag^{t}
John Richardson

The Respective Attorneys to the Severall Defend^{ts} appeare for their Clyents, and crave an Imparliance untill the next Provinciall Court, and it is graunted unto them and the same day is given unto the said Respective p^{lts} likewise.

Thomas Notley
ag^{t}
Nehemiah Blackiston

The Sheriff having Retorned a Cepi & the Defend^{t} neither apearing in pson nor by Attorney ordered that the Sheriff be amerced 40^{s} unlesse he bring him the next Provincial Co^{rt}.

John Larkin
ag^{t}
ffrancis Gill

The defend^{t} appeared in his pp pson, and was by the Co^{rt} ordered to Retaine an Attorney.

Liber M M John Nethway
ag^{t}
p. 20 John Litchington

Ordered by the Court that unlesse the p^{lt} file a Decl̄ ag^{t} the Defend^{t} by the last day of the Co^{rt}, or that a Non suite be awarded ag^{t} him, and the Defend^{t} finding that no Declaration was filed ag^{t} him by the p^{lt} according to the Rule of Co^{rt} aforesayd craved costs & a non suite wherefore it is Considered by the Co^{rt} that the said John Nethway lose his writ & that John Litchington Recover ag^{t} the said Nethway the sume of   pounds of Tobacco for his Costs and Charges in this behalfe vexatiously sustained and the said John Nethway in mercy for his false Complaint.

The Co^{rt} Adjourned untill the Eighth day of Aprill next.

This Indenture made the Thirteenth day of ffebruary in the One & ffortieth yeare of the Dominion of Caecilius &c Annoq₃ Dom̄, One thousand Six hundred Seaventy two. Between James Nuthall of Calvert County in the Province of Maryland planter of the one part. And Walter Hall of S^{t} Maryes County in the same Province gentl̄. of the other part. Wittnesseth. That the said James Nuthall for and in Consideracōn of Sixteene Thousand pounds of Tobacco in Casque to him in hand Paid by the said Walter Hall the reccpt Wherof the said James Nuthall doth hereby Acknowledge and thereof and of ev^{r}y part thereof & parcell thereof. Doth hereby absolutely & Clearly exonerate accquit and discharge the said Walter Hall his heyres Executo^{rs} and Administrat^{rs} for ever by these p^{r}sents. Hath Given graunted bargained and Sold enscoffed and Confirmed and by these presents doth Give Graunt Bargaine Sell enscoffe & Confirme unto him the said Walter Hall his heyres and Assignes for ever. All That Parcell or Tract of Land Late in the Tenure or Occupacōn of him the said James Nuthall or his assignes Lyeing and being in S^{t} maryes County afforesaid. beeing part of a Devident of Land Com̄only called or Knowne by the name of Cornwallis Crosse Manno^{r}. Begining at the Quarter Creeke and so running along the Side of the old ffeild that the Crosse Manno^{r} House standeth on To the Path way that Goeth to Long Neck. And from thence aloñg the said Path till it Comes to John Burgesses old ffeild. And from thence to George Wright Outward Lyne. and so into the woods to S^{t} Inogoes Manno^{r}. Conteyneing by Esteemacōn One Thowsand Acres more or lesse. Togeather with all & singular the houses Ediffices buildings Yards Gardens Orchards Woods Underwoods Rights Benefitts Jurisdiccōns Priveleges and Proffitts Thereunto belonging or in any wise Appertayneing, To Haue & to Hold the said Parcell of Land and all & singular other the p^{r}misses hereby graunted bargained and sold or mentioned to be herein or hereby barga[ined] graunted and sold. with their and every of their Rights Members and Appurtenañces whatsoever. unto the

Liber M M p. 21 sayd Walter Hall His Heyres and assignes for ever, To the onely Proper use and behoofe of him the said Walter Hall his heyres and assignes for ever. And the said James Nuthall for himselfe his heyres Executo^{rs} & Administrat^{rs} and every of them the Said Parcell of Land and all and̄ Singuler other the premisses before graunted bargained & sold with the Appurtenñces. unto the said Walter Hall and his heyres To the onely prop use & behoofe of the Said Walter Hall his heyres and assignes for ever, against him the said James Nuthall his heyres & assignes and all and ev^{r}y other person & persons whatsoever Lawfully Claymeing by from or under him or them or any of them. Shall and will Warrant and for ever Defend by these presents: And the said James Nuthall for himselfe his heyres Executors & Administrators, doth hereby Covenant Promise graunt and agree to and with the said Walter Hall his heyres and assignes and every of them in Manner and forme ffollowing that is to say That he the said James Nuthall at the tyme of the ensealeing & deliv^{r}y of those presents is and untill A good pure perfect and absolute estate of Inheritance of all and Singuler the before graunted p^{r}misses and every pt thereof shall be Lawfully vested Settled & Executed in and upon the said Walter Hall and his heyres according to the true Intent & meaneing of those presents shall remayne Continue and be Seized of and in the said parcell of Land and all & singuler other the p^{r}misses in and by these presents graunted bargained & sold with their Appurtenñces of A good Pure perfect and absolute Estate of Inheritance in ffee-Simple. without any Condition reversion remainder or Limittac̄on of any use or uses estate or estats in or to any person or persons whatsoev^{r}. To alter Chainge Defeate Determyne or make Void the same. And that the said James Nuthall at the tyme of the makeing & ensealeing of these presents hath full Power good Right and Lawfull Authority to graunt bargaine sell and Convey all and Singular the before hereby graunted or mentioned to be graunted Premisses with their and ev^{r}y of their Appurtenñces. unto the said Walter Hall his heyres and assignes in manner & fforme as afforesaid. And that he the said Walter Hall his heyres and assignes and every of them shall & may by force and virtue of these presents from tyme to tyme and at all tymes for ever hereafter Lawfully Peaceably, and Quiettly haue hold use Occupie Posesse and enjoy the said parcell of Land and all other the bargained premisses with the Appurtennañces. and haue Receive and take the Rents Issues and proffits thereof To his and their owne proper use and behoofe for ever. without any Lawfull Lett Suite Trouble Denyall Interruption eviction or Disturbance of the said James Nuthall his heyres or assignes. or of any other person or persons whatsoeu^{r} Lawfully Claiming by from or under him them or any of them. or by his or their Means Act Consent Title interest p. 22
privity or Procurement. In Wittnesse whereof the Partyes first

Liber M M abovenamed haue hereunto Interchangably Set their hands and Seales the day and yeare first abovewritten

Sealed and Delivered in the marke of
the p^{r}sence of. Tho. Innes James *n* Nuthall. Seale
Jn^{o} Blomfeild

feb. the 13th 1672

9 sds Acknowledged in oppen Court by the abovenamed James Nuthall the day & yeare abovesayd

Robert Ridgely Cler. Cur. Prov.

Tho. Doxey pl̃t
Tho. Griffith Def.

I the said Defend^{t} doe Ordeyne and Appointe Robert Carvile one of the Attorneyes of the Prov^{ll} Court, To be my Attorney to this Accõn and to put in such plea thereunto as he shall thinke ffitt. Witnesse my hand this Eighth day of ffebruary 1672. Thomas Griffin

Test. Kenelm Chiseldyn.

To all to whome these p^{r}sents shall come I John Woder Esqꝫ Majo^{r} of the Towne of Weymouth and Melcomb Regis in the County of Dorset in England and one of his Ma:^{ties} Justices of peace & Quorum there send greeting Know yee that this p^{r}sent day Edith Byat of the Towne aforesayd widdow the Relict of Theophilus Byet late one of the Aldermen of y^{e} said Towne her late husband deceased came before me and showed unto me a certeine writing in Parchm^{t} signed Marcus Cortle Reg^{r}terius to w^{ch} was affixed the greate seale of the Prerogative Co^{rt} of Canterbury and a coppy of the last will & Testam^{t} of the said Theophilus Byet, By which said writing it doth appeare that the said Edith hath made pbate of her said husbands will, and that the Admcõn of all the goods Chattels Right and Creddits which were her husbands at the time of his death are legally graunted unto her a true Coppy of w^{ch} said writing and Coppy of the said will I have at her Request hereunto annexed Know yee also that this same day the said Edith Byat and John West of Dorchester in the said County of Dorset a pson well Knowne unto me did in my p^{r}sence signe seale & Deliver as their Act & Deed the Letter of Attorney hereto also annexed making one William Dare their lawfull Attorney to doe severall acts for them and either of them in Virginia and Maryland In Testimoney whereof I have hereunto set my hand and affixed the seale of Majoralty of the Towne aforesayd the three & twentieth day of September in the 24th yeare of the Reigne of o^{r} Sovereign Lord Charles the Second by the grace of God King of England Scotland ffrance & Ireland defend^{r} of the faith &c Annoqꝫ Domini 1672.

John Wooder Majo^{r}.

Locus Sigilli

Robert Carville of S^{t} Maryes maketh oath that about a fortnight since Mr Dare discoursing wth this Depon^{t} about this Instrum^{t} und^{r} Seale & this Dep^{t} opening of y^{e} paps y^{e} Seale then thereunto affixed did accidentally fall off from ye pap^{r}s wthout any force or violence used to y^{e} same.
Sworne this 7th of Aprill 1673 before me.
Philip Calvert.

To all to whom these p^{r}sents shall Come wee Edith Byat of Liber M M Waymouth and Mellcombe Regis in the County of Dorset widdow the Relict and Executrix of the last will and Testam^{t} of Theophilus Byat late of Weymouth and Mellcombe Regis aforesayd Marchant Deceased late part owner of the ship called the John of the Porte of Weymouth and Mellcome Regis aforsayd of the burthen of Eighty Tonns or thereabouts lately left at Virginia in a voyage either from Weymouth Mellcombe Regis aforesayd to the Barbadoes and from thence to Virginia aforesayd and John West of Dorchester in the County aforesayd Marchant the other pt owner of the said ship Send greeting whereas the said ship being left in some Porte or place lately in Virginia aforesayd one John Parker p. 23 now or late Resident there tooke into his Custody and possessed himself of the sayles Cordage Anchors Cables boates Rigging and other materialls then in or belonging to the said ship, and also the said ship it self, and doth owe and stands indebted unto us a Considerable sum̃e of money for the freight and hire of the said ship from Weymouth and Mellcome Regis aforesayd unto Barbadoes aforesayd and from thence to Virginia aforesayd for a late voyadge made with her for the said John Parker. Now Know yee that wee the said Edith Byet and John West for good Considerations us thereunto moving have constituted authorized and made, and by these p^{r}sents wee the said Edith Byet & John West doe and Each of us doth Constitute authorize and make, and in our steads & place & put our Loving friend William Dare of Dorchester aforesayd Mercer now bound for Virginia our True and lawfull Attorney for us and in o^{r} names & in the name of Either of us Jointly & Severally as the Case shall require to aske demand and Receive of and from the said John Parker all such of the said ships Sayles Cordage & Anchors Cables boate Rigging and other materials aforesd as are now in the hands or possession of the said John Parker, And the possession of the sd ship and such pts & peices of her as yet remaine, of him & all others to get Recover and the same to sell for our best proffit, And full satisffaction for all such of the said Sayles Cordage Anchors Cables boate Rigging & other materialls, as at any time Came to the hands use or pos̄s̄ion of y^{e} sd John Parker w^{ch} are Either Imbezelled sold or not now Remaining and also to aske Demand & Receive of and from y^{e} sd John Parker all such som̃es of money as are due oweing or payable to us or Either of us for freight or hire of y^{e} sd ship as aforsd̄ and all other moneys debts Tobacco & other goods as are any way oweing or payable to us or Either of us for any other matter or being whatsoever from the said John Parker And further for us & in our names Jointly & in the name of Either of us severally as the case shall require to aske & Demand & Receive of & from all psons in Virginia

Liber M M aforesayd & Maryland or Either of y^{m} all such sum̃es of money goods Tobaccos & Wares as are from them or any of them due & oweing to us joyntly or Either of us Severally, And wth the said John Parker & all such psons as aforesayd to Compleate & make up an accompt for us & in o^{r} names or in the name of Either of us touching y^{e} p^{r}mises, And for the better Recovery of the p^{r}mises the said John Parker & all other psons aforesayd for us & in o^{r} names Jointly & Severally as the case shall require to sue arrest psecute impleade Condemne & imprison & out of prison to Deliver And us and Either of us in any Co^{rt} or Courts and before any Judge or Judges to psonate and with y^{e} said John Parker and such other psons as aforesayd as o^{r} said Attorney shall thinke fit compositions and agreem^{ts} for us & in o^{r} names or in the name of Either of us to make, And upon such Compositions or agreem^{ts}, or upon satisffaction given to o^{r} said Attorney for y^{e} p^{r}mises for y^{e} sd John Parker, and such psons as afd̄ Compounding with or satisfyeing o^{r} sd Attorney for us & in o^{r} names & in y^{e} name of Either of us acquittances releases & full discharges to give, And for y^{e} better Effecting the p^{r}mises one or more Attornyes Dep^{tys} & Substitutes und^{r} him to make & them againe at his pleasure to Revoake And gen^{r}ally to doe & Execute all & Every such other act & thinges as shalbe necessary in & about y^{e} p^{r}mises in as full manner as wee o^{r}selves or Either of us might doe were wee psonally p^{r}sent Wee & Either of us hereby ratefyeing & Confirming all w^{t}soever our said Attorney or his substitutes or Either of them shall doe or pcure to be Done in y^{e} p^{r}mises In witnes whereof wee have hereunto set o^{r} hands & seales this 20th day of September in the yeare of our Lord 1672.

Sealed & Delivered by y^{e} sd Edith in y^{e} Edith Byat (Sealed)
p^{r}sence of John Wooder Majo^{r}.
Henry Smart
The marke of Nich: **N** Smart John West (Sealed)
And by the said John West in the p^{r}sence of
John Wooder Maj^{r}
William Bird.

p. 24 In the name of God Amen I Theophilus Byat of Waymouth & Mellcombe Regis in the County of Dorset Marchant being sick and weake in body but of p̄fect minde & memory blessed be god therefore doe now make this my last will & Testam^{t} in manner & forme following ffirst I give & bequeath my soul into y^{e} hands of Almighty God my Creato^{r} & my body to y^{e} Earth from whence it came & for my worldly goods I doe give and bequeath all my Lands houses & the garden in Lovelane with all my goods & Chattells of what Kinde soever to my wife Edith during her Naturall life to her disposing, and after her decease I doe give & bequeath to my sonne Robert Byat my land in Portland and the house in w^ch^ Edward Owsely now Dwelleth and the house lately built in the south side of the high streete during his naturall life & to y^e^ heirs & issue of his body lawfully begotten & for want of such heirs or issue to my daughter Hannah Barker and her heirs forever, and I Doe give & bequeath the house wherein Henry Lee now Dwelleth to Kathereine Pinson my Grandchilde and her heires forever And for all the Rest of lands goods & Chattells not Disposed of I doe give to my said wife and to her disposing to give or sell as she shall thinke fit whome I Doe make my sole Executrix of this my last will & Testam^t^, And I doe desire my frends Willm Cade and Nicholas Nicholas Tackle to be overseers of this my said will & doe give unto Each of them Twenty shillings In witnes whereof I have hereunto set my hand and seale the 25th day of Aprill in y^e^ yeare of our Lord 1672 Tho Byat sealed in the p^r^sence of signe of E. B. Erasmus Browne Nicholas Tackle W^m^ Cade. Liber M M

Tenore presentium nos Gibertus providentia divina Cant Archiepiscopus totius Anglie prima et Metropolitanus notum facimus universis quod quarto die mensis Julij Anno Domini 1672 Apud London coram reverenti & egregio viro Leolino Jenkins milite & legum doctore Curie Prerogative Cant nostro Custode sive Commissario legitimo constituto probatum approbatum & insinuatum fuit testamentum Theophili Byat nuper de Weymouth & Melcomb Regis in comitatu Dor Defuncti prentibus auc & habentis dum vixit & mortis sue tempore bona jura sive credentia in diversis diocesibus sive jurisdictionibus cuius pretextu ipsius testamenti approbatio & insinuatio administrationisque huiusmodi audito finalique liberacio sive dismissio ab eadem ad nos solum & insolidum & non ad alium nobis inferiorem judicem notum dignoscunt pertinere & commissa fuit administratio omnium & singulorum bonorum jurarum & credentiarum dicti defuncti & eius testamentum qualitercunque concernentium Edithae Byat relicto & executrici in huiusmodi testamento nominate ponitus de bene & fideliter administranda eadem ac de pleno & fuit jura omnium & singulorum bonorum jurarum & credentiarum dicti defuncti conficienda et illud in Curia Prerogativa Cant citra vel ante primum diem mensis Novembris proximum futurum exhibenda nec non de plano & vero compoto calculo sive reciocinio inde reddendo ad sancta dei Evangelia vigore commissionis jurata Datum die mensis Anno & loco predictis nostroque translatione Anno Nono Marcus Cottle Registrarius.

To All Xpiān People To whome these p^r^sents shall Cōme Greeting—Know yee that Christopher Rousby of Calvert County in the Prov-

Liber M M ince of Maryland gent. and Elizabeth his wife Late wife of Richard Collett gent. Deceađ. for Diverse good causes and Consideracōns, them therunto Moveing. Haue Remised Released and for eu^{r} quitt Claimed. And by these p^{r}sents Doe for them selues and their and either of their heyres ffully clearly & absolutely Remise Release and for eu^{r} quitt Clayme unto Robert Hawkins of London Roap maker p. 25 in his ffull and Peaceable Posession And Seizen and his Heyres & Assignes for ever. All such Right Title Estate Interest and demand whatsoever, as they the Said Christopher Rousby & Elizabeth his wife or either of them had or ought to haue of in or to all that parcell of Land called the Two Neckes, Lyeing in Chesepeake Bay on the Easterne Side of the said Bay in a Riu^{r} called Elke Riu^{r} on the north Side of the Said River and on the northward Side of a Tract of Land form^{r}ly taken up by m^{r} Richard Wright called, Turkey Point, Begining at a marked ground Ash standing in a Coue by the River Side and ruñing up along the Riu^{r} for bredth North East & by east Crosse the mouth of a Creeke called Crooked Creeke unto A marked Water Oake standing on a point by a Coue of a marsh Three hundred prches. by a Line drawne from the said northeast & by east Line and Ruñing for length into the woods Northwest. Three hundred & Twenty pches by a Line drawne from the end of the said northwest line and Ruñing South west & by west Three hundred pches. by a Line drawne from the South west & by west line and Ruñing South East unto the first marked ground Ash Three hundred & Twenty pches. Conteineing by Esteemation Six, hundred Acres more or lesse, To Haue and To Hold the said parcell of Land called the Two Neckes with the Appurtenañces unto him the said Robert Hawkins his heyres and assignes To the onely ppuse and behoofe of him the the said Robert Hawkins his heyres & assignes for Ever Soe that neither they the said Christopher and Elizabeth his wife nor either of them their nor either of their heyres nor any other pson or psons for them or either or any of them or in the name or names Right or Stead of them or any of them shall or will by any wayes or meanes hereafter haue Claime Challenge or Demand any Estate Right Title or interest of in or to the premisses or any pt or pcell thereof: But from all & eu^{r}y Accōn Right Estate Title interest & Demand of in or to the premisses or any p̄t or p̄rcell thereof they & eu^{r}y of them shall be utterly Execluded & barred foreu^{r} by these presents—In Wittnesse whereof the said Christopher Rousby and Elizabeth his wife haue to these p^{r}sents set their hands & Seales the ffifteenth day of October in the 41th yeare of the Dominion of Caecilius &^{c}. in the yeare of Lord God One thowsand six hundred seaventy & two.

Sealed and Deliu^{r}ed in the
p^{r}sence of Robert Ridgely
ffran. Swanston

Christopher Rousby sealed
Elizabeth Rousby sealed

The ninth of Aprill 1673 Then was the above written Conveyance Acknowledged in open Court by the abouenamed Christopher Rousby and Elizabeth Rousby she being privatly Examined according to Act of Assembly in that case provided Liber M M

Robert Ridgely Cler. Cur. Provl̄l

To All Xpiān People to whome these p^{r}sents shall Come Greeting. Know yee That Christopher Rousby of Calvert County in the Province of Maryland gent. and Elizabeth his wife late wife of Richard Collett gent. Decead̄. for diverse good causes and Consideṛac̄ons them thereunto moving Haue Remised Released and for eu^{r} quitt Claimed. and by these p^{r}sents doe for themselues and their & either of their heyres fully clearly & absolutely Remise Release and for eu^{r} quitt Claime unto Robert Hawkins of London Ropemaker in his ffull & Peaceable posesseon and seizin and to his heyres & assignes for ever. All such Right Title estate Interest and Demand whatsoeu^{r}. as they the said Christopher Rousby and Elizabeth his wife or either of them had or ought to haue of in and to All that parcell of Land called Colletton, Lyeing on the east side of Chesepeak Bay. next adjoyneing to the Land of Godfrey Baylie. and beginning at the said Bayleys southermost bound tree upon the Bay being an Ash tree. Ruñing downe the bay for breadth Three hundred and ffifty pches to a marked Chestnutt Oake standing at the ffoote of a great mount. bounding on the south by a Line drawne south East from the said Chestnutt Oake for length Three hundred and ffifty pches. and on the East by a Line drawne North north East from the end of the South East Line for breadth Three hundred & Twenty pches untill it intersect a parralell drawne from the said Baylies Land. on the north with the said Paralell and on the west with the said Bay Conteineing by Esteemation Seaven hundred Acres more or lesse. To haue & to hold the said parcell of Land called Colletton, with the Appurtenañces unto him the said Robert Hawkins his heyres & assignes. To the onely use and behoofe of him the said Robert Hawkins his heyres & assignes for ever. So that neither they the said Christopher & Elizabeth his wife nor either of them their nor either of them heyres nor any other pson or psons for them or either or any of them or in the name or names Right or Stead of them or any of them shall or will by any way or meanes hereafter haue Claime Challenge or Demand any Estate Right Title or interest of in or to the p^{r}misses or any pt or pcell thereof But from all and eu^{r}y Accōn Right Estate Title interest & demand of in or to the p^{r}misses or any pt or pcell thereof they and eu^{r}y of them shall be utterly excluded and barred p. 26

Liber M M for euer by these p^r^sents. In wittnesse whereof the said Christopher Rousby & Elizabeth his wife haue to these p^r^sents set their hands & seale The ffifteenth day of October in the 41th yeare of the
p. 27 Dominion of Caecilius &c. in the yeare of our Lord god. One Thowsand six hund^rd^ Seaventy two. Christopher Rousby sealed
Sealed and Deliu^r^ed in the Elizabeth Rousby sealed
p^r^sence of us. Robert Ridgely
ffran. Swanston

The ninth of April 1673 Then was the abouewritten Conveyance Acknowledged in open Court by the abouenamed Christopher Rousby and Elizabeth Rousby. She being privatly Examined according to Act of Assembly in that case Provided
Robert Ridgely Cler. Cur. Prov^ll^

Maryland ss. At a Provinciall Court of the Right hono:^ble^ the Lord Proprietary holden at the Citty of St Maryes on Tuesday the Eighth day of Aprill in the 41th yeare of the Dominion of his said Lo^pp^ over Maryland &c Annoq Domini 1673. before his Lo^pps^ Justices thereunto assigned, and there Continued untill the 12th day of the same Aprill on which said Eighth day was p^r^sent.

His Excellency Charles Calvert Cap^t^ Generall and Cheif Justice.
The hono^ble^ Philip Calvert Chancilour.
William Calvert
Thomas Truman &
Jesse Wharton Esqs.

Elizabeth Russell orphant of Richard Russell Deceased, being brought into this Co^rt^ by some of the Neighbourhood, who Complained that Thomas Vaughan who had married the said Elizabeths Mother, had inhumanely beaten and abused the said Childe, and the markes being showed here in Co^rt^, the Court was of opinion that the said Childe ought not to live longer with the said Vaughan, and therefore did ord^r^ that the said Vaughan deliver the said Elizabeth, unto Love Daniel wife of Constant Daniel, by her to be Kept for one yeare, and the said Constant to be satisffyed for the Charge of Keeping the said Childe, out of the Estate of her father Richard Russell Deceased in the hands of the said Vaughan, at such Rate as this Court shall allow.

Then did Sarah Coleman Choose Constant Daniel to be her Guardian, and the Court approved of such her Eleccōn.

Then was Samuell Cressy gentl sworne an Attorney of this Court, and tooke his place accordingly. Liber M M

Then did the Court appointe William Claw to be Constable of St Michaells hundred, and that the hono^ble^ William Calvert Esq give him his oath.

Then did the Court order that the hono^ble^ William Calvert Esq be one of the Quorum of this Court, that so if his Excellency The Cap^t^ General & the hono^ble^ the Chancelo^r^, should Chance to be absent, he with three others of the Justices might be a Court.

The Court Adjourned whilst to morrow morning nine a clock

The 9th of Aprill 1673.

Present as yesterday and Samuell Chew Esq.

The Court this Day pceeded upon Criminalls and Adjourned whilst to morrow morning.

The 10th of Aprill 1673.

Present as yesterday and Baker Brooke Esq. p. 28

Then was George Oldfeild gentl sworne one of the Attorneys of this Co^rt^.

Then also was the hono^ble^ Thomas Taylour Esq sworne one of the Councillo^rs^ to the Right hono^ble^ the Lord Proprietary and also one of the Justices of this Co^rt^ and tooke his place accordingly.

Ambrose Biggs ag^t^ John Harris } John Harris Administrato^r^ of the goods and Chattels of Thomas Sunderby Deceased was attached to answere unto Ambrose Biggs in a plea of Trespas upon the Case

And whereupon the said Ambrose by John Rousby his Attorney Complaineth that whereas the said Thomas Sunderbee being sick and Distemperd in body the 20th day of January in the yeare of our Lord 1672. In Consideration that the said Ambrose at the Speciall instance and Request of him the said Thomas, would Receive him the said Thomas into his house during the time of his said sicknes, and accomodate him with such thinges as was in his house necessary and needfull for him in his said sickness and in case of Death to give him a fit and Decent buriall, the said Thomas did assume upon himself, and to the said Ambrose did faithfully pmise, that he the said Thomas would pay the said Ambrose for all such his Expences and Disbursem^ts^ and Damages by his meanes accrueing, And the said Ambrose in fact saith, that his Expences Disbursem^ts^ and Dam-

Liber M M ages upon the account of him the said Thomas did amount to the sum̃e of foure thowsand five hundred pounds of Tobacco. a particuler whereof is here in Co^{rt} pduced, Notwithstanding which the said Thomas in his life time nor the sd John Harris since his Administratorship of the goods and Chattells of the said Thomas though often thereunto Required hath not payd, but the same to pay altogether Denyes, to the Damage of the said Ambrose 7000^{l} Tob, and thereupon he bringeth his suite.

And the said John Harris by Thomas Jones his Attorney comes and Defends the force and injury when &c and saith that he did not assume as abovesayd, and of this he prayes the advise of this Co^{rt}, and the said Ambrose also. And the Co^{rt} having fully Examined the business betweene the said partyes doe order the said John Harris Adm^{r} as aforesayd to pay until the said Biggs the sum̃e of sixteene hundred and fifty pounds of Tobacco and also the sum̃e of pounds of Tobacco for Costs of suite, or Else that Execution issue ag^{t} the said Harris for the same.

The Court Adjourned whilst to morrow morning.

The 11th of Aprill 1673.

p. 29 Present as yesterday and Thomas Taylo^{r} Esq

James Cade and Timothy Hummerston servants unto David Driver, being brought by their said Master into Court, and he fully making it appeare to the Court that they had Runnaway from him thirty six dayes apeice, It is by the Court ordered that they serve their said Master one yeare a peice for such their Running away according to Act of Assembly in that case pvided.

Richard Ladd ag^{t} Henry Mitchell } Henry Mitchell late of Calvert County otherwise called Henry Mitchell of the Clifts gent^{l} was summoned to answere unto Richard Ladd, of a plea that he Render unto him twelve thowsand pounds of Tobacco, which to him he oweth and unjustly Deteynes &c.

And whereupon the said Richard by Robert Carvile his Attorney Complaineth that whereas the said Henry upon the 26th day of October in the 38th yeare of the Dominion of Caecilius &c, and in the yeare of our Lord 1669 by his Certeine writing obligatory sealed with the seale of him the said Henry and here in Court produced whose date is the day and yeare abovesayd did become firmly bound to the said Richard in the sum̃e of Twelve Thowsand pounds of good Tobacco and Casque to the which payment well and truly to be made he bound himself his heires Executo^{rs} and Adm^{rs} by those p^{r}sents, Notwithstanding the said Henry though often Required the aforesayd sum̄e of 12000l Tob to the aforesđ Richard hath not as Liber M M yet payd but the same to him to pay doth Deny and Refuse, whereupon the said Richard saith he is Damnifyed, and hath losse to the vallue of 14000l of Tobacco and thereupon he bringeth his suite.

And the aforesayd Henry by Vincent Lowe his Attorney cometh & Defendeth the force & injury aforesayd when &c and Desireth hearing of the said writing and to him it is Read, he Desireth also the hearing of the Condicion of the said writing, and to him that is read in these words. The Condicion of this obligation is such that if the above bound Henry Mitchell his heires Executors Admrs or assignes to give unto Mr Ladd a firme bill of sale for foure hundred Acres of Land lying Chester River formerly called Smiths Pointe to him and his heirs forever, as the Law in this Country can afforde, or as the Learned in Law can advise, and to Cleare the Lords Rent to this day, for a valluable Consideration the said Henry Mitchell hath Received then this obligation to be voyd and of no Effect otherwise to stand in full force power and vertu, which words being heard and Read the said Henry Mitchell saith that he alwayes was and still is ready to pforme the Condition of the said obligation, and to make to the said Mr Ladd a firme bill of sale for the said foure hundred acres of Land lyeing in Chester River formerly Called Smiths pointe to him and his heires forever as the Law in this Country can afforde or as the Learned in Law can advise, and to Cleare the Lords Rent to the day of the Date of the said obligation according to the Tenor of the Condition of the said obligation when thereunto required by the said Mr Ladd.

And the aforesayd Richard Ladd saith that he by any thing before alledged ought not to be Debarred from having his accōn aforesayd because he sayes that the aforesayd Henry Mitchell did not make to the said Richard Ladd a firme bill of sale for the aforesayd p. 30 foure hundred acres of Land lyeing in Chester River formerly called Smiths pointe and did not Cleare the Lords Rent to the day of the date of the said obligation, according to the Tenour forme and Effect of the Condicion of the said obligation at the aforesayd Henry hath above alledged and this he prayes may be inquired of by the Country and the said Henry likewise.

Therefore comand is given to the Sheriff of St Maryes County that he cause to Come here at St Maryes before the Justices of ye next Provincial Court the 8th day of Aprill next being the first day of the same Court Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes.

At which day that is to say the 8th day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673. Came aswell the said Richard Ladd by Robert Carvile his Attorney as the said Henry Mitchell by Vincent Lowe his Attorney and the Jurors of

Liber M M that Jury likewise came to wit Thomas Hussey George Taylor Constant Daniel John Kimbro Thomas Vaughan Robert Clerke Spencer Hales Thomas Bennet William Asbiston Caleb Baker Joseph Brough and John Smallper who to say the truth in the prmises being Elected Tryed and sworne upon their oathes doe say that they finde for the Defendt wth costs of suite wherefore it is Considered by the Court that the said Henry Mitchell Recover agt the sd Richard Ladd the sume of pounds of Tobacco for his Costs and Charges in this behalfe vexatiously susteined and the said Henry Mitchell goe thereof without Day and the said Richard in mercy for his false complaint.

Thomas More agt Wm Asbeston } In an accon of Trespas upon a forcible Entry brought by the plt agt the Defendt, and the Defendt having pleaded not guilty and both ptyes put themselves upon the Judgemt of the Cort. It is by the Court ordered that the Condicion betweene the said ptyes be Cancelled wch was imediately Done by the Clerk of this Cort. and that the Defendt Asbiston be put into the possession of his plantation againe, and that Each pty beare their owne Charges, and so the Cort Dismissed them wthout d[ay]

His Excellency informing the Court that Severall Complaints have beene made unto him by Severall of the Inhabitants of this Province that have had suites depending in the Provinciall Cort, that the way of pceedings hath beene so Tedious that it hath beene to the ruine of many times both plt and Defendt and also is a great discouragemt to any pson to seeke for his Right at Law the Court taking the same into their serious Consideration Ordered that all Causes that shall hereafter Depend in this Cort be brought to a tryal the second Court after the Comencing the accon, unlesse one of the partyes can show such sufficient cause to the Contrary such as the Cort shall approve of, and that no Attorney of this Cort shall sue out any writ against any pson but shall first file his Declaration and the Clerk of this Cort shall send a Coppy of the said Declaration with the part attested by himself or Depty for that purpose. and in Case of Demurrer to Declaration or plea It is by the Cort further p. 31 ordered that upon mocon any Attorney may have liberty to amend his Declaration or plea, and if any Costs be allowed by the Cort upon any such Demurrer the Attorney shall pay the same that was in fault for not putting in a sufficient Declaracon or plea and of this Rule all the officers of this Court are to take notice at their perrill.

Thomas Obryan of Charles County peticioned this Court that he was sumoned to appeare as a witnes on the behalfe of Virlinda Stone plt agt Edmond Lindsey Defendt and here hath attended five

Liber M M

Dayes craves allowance for two dayes coming five Dayes staying and Two Dayes Retorning in all nine Dayes at 30^{l} Tob a day.

Ordered by the Co^{rt} that the said Verlinda Stone pay y^{e} said Thomas Obryan 270^{l} Tob for his Attendance according to act of Assembly in that case pvided.

Came William Wright late sonne of W^{m} Wright of Popler hill Deceased and Did Elect and Choose Thomas Bennet to be his Guardian and the Court approves of such his Eleccōn.

Christopher Batson peticions this Co^{rt} that whereas in the yeare 1668 the sd Batson did put himself an Apprentice to one Abell Londgen of London to serve him foure yeares and the sd Londgen was to teach the sd Batson the Art of Navigation, and the said Londgen afterwards Contrary to the sd Indenture sold the said Batson to one John Stevens who although the said Batson hath served the sd Terme of foure yeares yet will not set him free but still Keepes him a servant to his very great Damage.

The Court Examining the matter and perrusing the Indenture doe order and Adjudge the said Christopher Batson to be set free.

Richard Tilghman being sum̃oned by his Excellency to Render an account of the Estate of John Richardson, appeared and offered some papers to the Co^{rt}, who ordered the Clerke to Receive the same, and make out Coppyes of them for the Comp^{lt} Richardson ag^{t} next Co^{rt}, when the Court orders both ptyes to attend for a full Determinacōn of the business the said Tilghman Delivered also into the Co^{rt} three bills payable to the said Richardson vizt One from John Yate for 807^{l} Tob, One from John Cooke and Simon Richardson for 4000^{l} Tob. and another from Richard Cadmore for 3000^{l} Tob. w^{ch} said bills the Court ord^{r} the Clerke to take into his Custody and to Deliver into the hands of John Clemons Marchant.

Humphry Limbry ag^{t} W^{m} Smith } The Court having seene this day a bill of Costs in Calvert County Co^{rt} taxed betweene y^{e} sd ptyes under the hands of Thomas Brooke gent one of the Justices of the said Co^{rt} for Two hundred sixty three pounds of Tobacco, ordered by the Co^{rt} that the said sum̃e be added to y^{e} Execution ag^{t} the sd Smith.

Maryland ss. By his Excellency the Cap^{t} Generaƚƚ. p. 32

Whereas their was formerly Surveyd for Samuell Withers of Ann Arundell County gentƚ Two hundred Acres of Land called Witherington lyeing in Talbot County on the North side of Choptanke River neare to the head of a Creeke called The Second Creeke Adjoyning to y^{e} Land form^{r}ly Laid out for John Hooper beginning

Liber M M at a marked Pine Tree standing upon a Pointe by the Creeke side, And Runing for breadth from the said Pyne south and by West One hundred Perches bounded on the West by a line Drawne East and by North for length three hundred and Twenty perches, On the North by a line Drawne North and by East from the End of the Easte and by North line One hundred perches till it intersect a paralell with the said Creeke on the East by the said Creeke and paralell on the South by y^{e} first South and by West line Conteyning Two hundred Acres more or lesse Now although the said Samuell Withers hath made good Rights for y^{e} said Land yet because he hath not sued forth a Patent for the same, within the time limited according to his Lo^{pps} Condicions of plantation, the said Two hundred acres of land is become Escheated to the Right hono^{ble} the Lord Proprietary his heires and successo^{rs}, And I Charles Calvert Esqꝫ his Lo^{pps} Receiver Gen^{r}all within this Province being informed thereof, Doe in the name of the Right hono^{ble} the Lord Proprietary will and Com̄and you that you make, seizure of the said two hundred acres of Land called Witherington according to the bounds before mencõned for that the same is Escheated unto his said Lo^{pp} and that you make Retorne of the seizure thereof and how you have Executed this p^{r}cept at o^{r} next Provincial Co^{rt}, And for so doeing this shalbe your warrant Given und^{r} my hand and lesser Seale of the said Province the 12th day of ffebruary in the 41th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1672.

(Locus sigilli.) Charles Calvert

To M^{r} Stephen Tully high
Sheriff of Talbot County

p. 33 On the backside of the foregoing warrant was thus written vizt.

To his Excellency The Cap^{t} Generall.

These in humble manner showeth that in obedience to this speciall warrant I was the second day of this p^{r}sent Aprill upon the land called Witherington lyeing in Talbot County, and made seizure of the said Land for the use of the Right hono^{ble} the Lord Proprietary the seizure made as aforesayd by me

Stephen Tully Shff Com Talbot.

Thomas Notley
ag^{t}
Nehemiah Blackiston

Nehemiah Blackiston late of the County of S^{t} Maryes gentl was by a writ of Priviledge issueing out of this Co^{rt} Attached to answere unto Thomas Notley one of the Attorneys of this Co^{rt} &c of a plea of Debt.

And whereupon the said Thomas in his proper pson saith that whereas the said Nehemiah Blackiston the fourth day of June in the yeare 1672 by his certeine bill obligatory signed and Sealed with the bill of the said Blackiston the day & yeare abovesayd here in

Court brought did binde himself his heires Executo^rs and Administrato^rs to pay unto him the said Thomas Notley, or to his Executo^rs Adm^rs or assignes at his the said Nehemiahs owne Dwelling plantation in St Clemons Manno^r in the County aforesayd the Just sum̃e or quantity of Nine thowsand Seaven hundred and nineteene pounds of good sound bright Marchantable leafe Tobacco with Casque to Conteine it to be payd at or before the first day of October next Ensueing the date of the said bill, Notwithstanding the said Nehemiah Blackiston, the said sum̃e of nine Thowsand Seaven hundred and nineteene pounds of Tobacco though often thereunto Required hath not payd to the greate Damage of y^e said Thomas Notley, whereupon he saith he is Damnifyed and hath losse to the vallue of Twelve Thowsand pounds of Tobacco, and thereupon he bringeth his suite. Liber M M

And the aforesayd Nehemiah Blackiston by Nicholas Best his Attorney doth Come and Defend the force and injury when &c and the said Nicholas saith that he is not informed by the said Nehemiah his Client of any answere to be given thereunto as to the said nine thowsand Seaven hundred and nineteene pounds of Tobacco, wherefore it is by the Co^rt here Considered that the said Thomas Remaine ag^t the said Nehemiah as to the said sum̃e of Nine Thowsand seaven hundred and nineteene pounds of Tobacco wholy undefended, and also that the said Thomas Recover ag^t the said Nehemiah aswell y^e said sum̃e of nine thowsand Seaven hundred & nineteene pounds of Tobacco as also the sum̃e of three hundred fifty and two pounds of Tobacco for his Costs and Charges Expended in the said suite.

John Gilbert
ag^t
Philip Shapleigh

Philip Shapleigh late of St Maryes County was attached to answere unto John Gilbert in a plea of Trespas upon the case.

And whereupon the said John by John Rousby his Attorney saith that whereas the said Philip the 7^th day of Aprill in the yeare of our Lord 1668 & in the 37^th yeare of the Dominion of Caecilius &c in Consideration that the said John Gilbert at the Special Instance and Request of the said Philip Delivered to him the said Philip to the propper use and behoofe of the said John Gilbert diverse goods wares and Marchandizes, and also diverse bills for severall quantityes of Tobacco to the said John Gilbert then due & oweing by Severall p. 34 persons within this Province from the said Seaventh day of April aforsayd till the two and Twentieth day of Aprill in the yeare of our Lord 1670. a particuler of which said bills and also of the said goods wares and Marchandizes is by the said John Gilbert here in Court brought amounting in all to the vallue of forty Two Thousand Eight hundred ninety and three pounds of Tobacco, the said Philip upon himselfe did assume, and to the said John Gilbert faithfully promised in Consideration that the said John would allow him 20^l

Liber M M p Cent for selling the said sev^{r}all goods wares and Marchandizes, and Receiving the Tob for the same and also the Tobacco due to the said John Gilbert upon the said sev^{r}all bills he the said Philip would well and truly pay unto the said John Gilbert, the produce and vallue of the said goods wares & Marchandizes as also of the said sev^{r}all bills Nevertheles the said Philip his promise and assumption so as aforesayd little reguarding but shifting and fraudulently intending the said John Gilbert of the said forty Two Thowsand Eight hundred ninety and three pounds of Tobacco the produce of the said goods and Debts due upon the said bills to the said John Gilbert hath not payd or satisfyed although he hath beene thereunto oftentimes Required but the same to him to pay hath hitherto Denyed and as yet doth deny by meanes whereof the said John Gilbert the whole gaine proffit and advantage which he the said John with his said Tobacco, by buying and selling and lawfully bargaining might have had and gained altogether hath lost to the Damage of the said John Gilbert 50000^{lbs} Tobo and thereupon he bringeth his suite.

And the said Philip by Kenelm Chiseldine his Attorney doth come & Defend the force and injury when &c and saith he did not promise and assume in manner and forme as the p^{lt} above in his Declaration hath Declared against him and of this he puts himself upon the Country, and the said John likewise.

Therefore Comand is given to the Sheriff of St Maryes County that he Cause to Come here the tenth day of December next before the Justices of the Provincial Court Twelve &c by whom &c who neither &c because aswell &c who neither &c to Recognize &c and the same day is given to both partyes.

At which day that is to say the Tenth day of December in the 40th yeare of the Dominion of Caecilius & Annoqꝫ Domini 1673. came aswell the said John Gilbert by the said John Rousby his Attorney as the said Philip Shapleigh by the said Kenelm Chiseldine his Attorney and the Jur^{os} of that Jury likewise came, but in this Cause the Declaration being filed, and the Defend^{t} having pleaded thereunto, and put himself upon the Country to try the issue, and the p^{lt} having Joined issue with him, and the Attornyes of both sides being p^{r}sent in Co^{rt}, and Consenting that the Defend^{t} shall account with the p^{lt} It is the Judgem^{t} of this Court here that the defend^{t} doe account with the p^{lt} sometime betweene this and the next Provincial Co^{rt}, and the Court doe hereby appointe Empower and desire M^{r} Benjamin Rozer and M^{r} Thomas Dent to take the paines handing in said account, and view all papers touching this Cause, and make their Report to the Co^{rt} here sometime towards the End of the next Co^{rt} how they advise it and to retorne the account
p. 35 Examined and stated as in their Judgem^{ts} they shall see fit to his Lo^{pps} Justices here by the End of the next Provinciall Co^{rt} that his Lo^{pps}

Justices being fully informed in the truth of the pʳmises may proceed to give a finall Judgemᵗ therein according to Law. Liber M M

And his Loᵖᵖˢ Provinciall Coʳᵗ being the Eleaventh day of ffebruary then next following, and the weather having beene so bad that the partyes could not meete to attend the auditoʳˢ aforesayd, his Loᵖᵖˢ Justices continued the order of December Coʳᵗ to the auditoʳˢ until the next Provinciall Coʳᵗ.

At wᶜʰ day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. the said Auditoʳˢ Retorned the said account stated and Report as followeth

Philips Shapleigh Dʳ to John Gilbert			ƚ Tobacco.
To sundry bills due to sd Gilbert from sundry psons as by his said Shapleighs Receipt then Dated amounting to			19423:
To sundry goods DD sd Shapleigh at Richard Keenes			244.
vizt 4½ yards Kersey at 30ˡ Tob p yard is	145		
5½ yards Penniston at 18	99		
To Sundry goods DD sd Shapleigh as by his Receipt then Dated amounting to			13572.
To Sundry goods sold sd Shapleigh as by account to be pved by the oath of the said Gilbert amounting to			785.
To Sundry goods Recovered of Mʳ Thomas Notley for accᵗ & by order of the said Gilbert as followeth vizt.		ƚ Tob.	
2 peeces & ½ 8ᵈ Rib vaƚ at 6ˡ Tob p yʳd Cont 90 yʳds is		540.	
31 hatbands at 5ˡ p̄ hatband is		155.	
2 payer of woollen stockings at 21ˡ Tob p payer		42.	
2 hdds Malossus conᵗ 150 Galƚ at 10ˡ p galƚ		1500.	
9 Caske of Wyne cont 180 galƚ at 25ˡ Tob p galƚ.		4500.	
To Tob pd sd Shapleigh by Mʳ Notley by ordʳ sd Gilbert as p note goods Delivered him amᵗ to		2898.	
		——	9635.
Per Contra Cr.			43659
By Tob payd Aholiab West p ordʳ & bill taken in			2515.
by Tob payd John Pollard by ordʳ bill taken in			2768.
by 91 yʳds of Osenbriggs recđ back of sd Shapleigh at 12ˡ p yʳd			1092.
by 2 payer of stirrupps Recd back at			60.
by 12 yʳds of girting Recd back			48.

Liber M M

	ŧ Tobacco.
by a Tarpawling and a Quoyle of Rope I allow for.......	1350.
by a voyadge you made to M^{r} Notleys for goods by my ord^{r} and for w^{ch} I allow.................... ..	500.
by yo^{r} Expence at St Maryes and hire of a man to bring me a L^{re} in M^{r} Jones business.................. ..	300.
by Tob pd Joseph Chew by my ord^{r}....................	1368.
by Tob pd Kenelm Chiseldine for Attorneys ffees in my business with Thomas How..........	600.

By.

p. 36 By sundry bills taken in my name which I accept and give him Creddit for when I Receive them (vizt)	ŧ Tob.	
James Jersyes bill for......................	715.	
John Russells bill for......................	994.	
Samuell Millington bal bill..................	1191.	
Nicholas Brewers bill for....................	757.	
Nicholas Trippes bill for....................	1184.	
Stephen Sealus bill for......................	1501.	
Thomas Harris bill for......................	740	7082
Cutbert Withams bill Recd for........................		3277.
Cap^{t} Tho: Stocket & Comp^{a} remaining due on a bill for 5000^{ŧ} Tob the quantity of w^{ch} I allow.....		3516.
By Commission allowed the said Shapleigh for Receiving paying and taking of bills for 24476^{ŧ} Tob as by the Creddit side of this account at 10^{ŧ} Tob p 100 is... ..		2447.
By ballance of this acc^{t} Remaining due to John Gilbert from Philip Shapleigh as appears by the same...... ..		16736
		43659.

Maryland ss By virtu of an ord^{r} of the hon^{ble} the Justices of the Provincial Court held in December last past appointing and authorizing us Thomas Dent and Benjamin Rozer to audit Examine and state an Account betwixt John Gilbert p^{lt} and Philip Shapleigh deft, and to veiw all papers touching and Relating to the same, and to make our Report unto the Justices of the same Court how wee finde it wee the said Thomas Dent and Benjamin Rozer in obedience therefore thereunto doe humbly make this our Report to the hono^{ble} the Justices of this Provincial Court that wee having audited and Examined the accounts of the said Gilbert and Shapleigh and likewise veiwed the papers touching and Relating to the same that were by the said Gilbert and Shapleigh or their Attorneys to us shewed and produced, and having thoroughly Considered and Examined

Liber M M

the same doe finde due from the said Philip Shapleigh to the said John Gilbert the quantity of sixteene Thowsand seaven hundred thirty and six pounds of Tobacco as by the account abovewritten it doth appeare he the said Gilbert having the Respective bills mentioned on the Creddit side of this account Delivered him In Testimony to this our Report wee have hereunto set our hands this 10th of Aprill 1673.

Benj^{a} Rozer
Tho Dent.

which said account so stated as aforesayd, and the Report signed by the audito^{rs} aforesayd being Read here in open Co^{rt} and John Gilbert having proved (the article of 785^{l} of Tob (on the D^{r} side which is Charged To sundry goods sold Shapleigh) by his owne oath here taken, and the Court having Delivered into the hands of the said John Gilbert here p^{r}sent in Co^{rt} the bill taken by the said p. 37 Shapleigh in the said Gilberts name mencōned on the Creddit side of the said account amounting unto seaven Thowsand Eighty and Two pounds of Tobacco. the Court was all clearly satisfyed that the said Philip Shapleigh Remaines D^{r} upon the ballance of the said acc^{t} to John Gilbert the said sum̃e of sixteene Thowsand seaven hundred thirty & six pounds of Tobacco, wherefore it is Considered by his Lo^{pps} Justices here that the said John Gilbert Recover ag^{t} the said Philip Shapleigh aswell the said sum̃e of sixteene Thowsand seaven hundred thirty and six pounds of Tobacco and Caske for his Damages in this behalfe susteined as also the sum̃e of Twelve hundred ~~~~~ pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Philip Shapleigh in mercy &c.

Thomas Jones ag^{t} William Thompson	It is ordered by the Court that all the proceedings in this business touching the scire fac be quashed, and that a scire fac a new issue out for the vacating both Patents on the behalfe of the Right hono^{ble} the Lord Proprietary.
Jesper Allen ag^{t} Richard Ladd	In this Cause it is ordered by the Co^{rt} that both partyes Come to tryall peremptorily the next Co^{rt}.
Richard Ladd ag^{t} Henry Mitchell	Entred before
Lord Proprietary ag^{t} Luke Barbo^{r}	

Liber M M Thomas Jones
ag^{t}
Mathew Nellson
The same
ag^{t}
The same
W^{m} Guard
ag^{t}
Trustram Thomas
Henry Beedle
ag^{t}
George Wells
The same
ag^{t}
The same
John Prat
ag^{t}
Tho: Philip
Nicholas Carre
ag^{t}
Toby Miles

These Eight Causes are Continued untill the next Provincial Co^{rt} when they are peremptorily to Come to a tryall without reason showen to the Contrary such as the Co^{rt} shall approve of.

p. 38 Richard Hallet
ag^{t}
Nicholas Wyat
The same
ag^{t}
The same

These Two Causes are by Consent of the Attornyes of both sides Continued untill the next Provincial Co^{rt}.

Thomas Kendall
ag^{t}
George Munrow
Thomas Oliver
ag^{t}
George Munrow
Henry Spry
ag^{t}
Hugh ffrench
Virlinda Stone
ag^{t}
Edmond Lindsey

In these foure Causes venire fac were sued out by the p^{lts} respectively, but were Continued by Consent untill y^{e} next Provincial Co^{rt} when they are preemptorily to come to tryall.

Curtis ffletcher
ag^{t}
Daniel Jenifer
Edmond Lester
ag^{t}
Thomas Momford

Liber M M

John Nethway
ag^t
Thomas Howe

Thomas Taylour
ag^t
Hugh Nash

Jonathan Sybrey
ag^t
Jeremiah Eaton & ux

John Quigley
ag^t
George Brewer

Thomas Doxey
ag^t
Thomas Griffin

Curtis ffletcher
ag^t
John Pollard

George Diamont
ag^t
Cornelius Carmial

Curtis ffletcher
ag^t
Edward ffitzharbert
Caleb Baker

Richard Smith
ag^t
W^m Worgan

These Eleaven Causes were Continued untill the next Provincial Co^{rt}.

James Williams
ag^t
Jeffery Somerford

On the backside of an Attachm^t issued ag^t Jeffery Somerford the last Co^{rt} at the suite of the p^{lt} directed to the Sheriff of Dorchester County and Retornable here this day was thus written (vizt) p. 39

The within mentioned Jeffery Somerford hath nothing in my baliwick to be attached by Tho: Taylo^r Sheriff.

Daniel Jenifer
ag^t
John Tench

On the backside of an Attachm^t issued ag^t John Tench the last Co^{rt} at the suite of y^e p^{lt} directed to the Sheriff of Dorchester County and Retornable here this day was thus written (vizt)

John Tench within mentioned is attached by five Cowes and Two Calves three heifers of Two yeare and halfe ould, two two yeare ould bulls, one yearling bull one steare of five yeares ould and foure head of hoggs, amounting in the whole to five Thowsand pounds of Tobacco in my Custody I have as is required by this writ of attachm^t. Tho Taylo^r Sheriff

Liber M M

William Calvert &
Thomas Notley
agt
Philip Holleger

The Sheriff of Baltamore County being in mercy five pounds unless he brought the Defendt this Cort, and not bringing him was by the Cort amerced five pounds to the Lord Proprietary and is also in mercy amercing Tenn pounds sterl unless he bring him ye next Cort.

Tho Hawkins
agt
Christopher Rousby &
Garrat Vanswearingen

Garrat Vanswearingen and Christopher Rousby Attornyes of Alexandr Dyhiniossa late of Calvert County gentl, was sumōned to answere unto Thomas Hawkins of a plea that he the said Alexandr Dyhiniossa Render unto him the sume of Ninety pounds six shillings sterling and foure thowsand nine hundred seaventy and three pounds of Tobacco which to him he oweth and unjustly Deteineth.

And whereupon the said Thomas by Kenelm Chiseldine his Attorney saith that whereas the said Thomas the Eighth day of Aprill in the yeare One Thowsand six hundred and seaventy was Comissionated Constituted and authorized by the same Alexandr Dihiniossa to be his bayliffe and Overseere for the yeare 1670 upon Poplar Island to Manage the busines of the said Alexandr in all thinges that in his Discretion he should thinke necessary to be done on and about the plantation there as building of howses necessary and Convenient Governing all the servants then and there and that should be there hereafter and the same servants to be obedient to him, and at his comand to doe all thinges the said Thomas should thinke fit, in Consideration whereof the said Thomas was to have for his wages and sallary for the said first yeare, Twenty pounds sterling and for Every yeare after the said Thomas, should Continue as Bayliffe or Overseere the sume of thirty pounds sterling by the yeare, with allowance of all paymts charges & Disbursemts, that the said Thomas should make lay out and disburse in any manner or way for the necessary affayres of ye said plantation and for the better managemt thereof and the said Thomas in fact saith that he the said Thomas did the twentieth day of Aprill in the yeare 1670 Enter upon the p. 40 said plantation and Island, and did then take upon him the further Charge of a bayliff as Bayliff to the said Alexandr and according to his best Cunning and skill and Knowledge did as Bayliff to the said Alexandr, governe the servants and make Crops of Tobacco, build all necessary houses and Doe all other thinges necessary and fit to be done to and for ye uses of the said Alexandr And the said Alexandr or his Attornyes for his use, had and Received yearly the Crops of Tobacco made upon the said Island, and the said Thomas saith he was bayliffe to the said Alexandr and Did Execute and

Liber M M

pforme the Duty of a Bayliffe from ye said Twentieth day of Aprill in the yeare one Thowsand six hundred & seaventy untill ye 10th day of October in the year 1672. and that their is due to him for his sallary & wages for that time the sum̃e of Eighty pounds sterling and that he hath in that time disbursed in and about the plantation for provision and other necessaryes for the servants the sum̃e of Tenn pounds six shillings sterling money and the sum̃e of foure thowsand nine hundred seaventy three pounds of Tobacco, as may apeare by the account here in Cort produced, and hereunto annexed which said sevrall sum̃es of money in the whole amounts to ninety pounds six shillings sterling yet the said Alexandr though often required the said sum̃e of ninety pounds six shillings sterling and the sayd sum̃e of fowre thowsand nine hundred seaventy three pounds of Tobacco to him the said Thomas hath not payd though often thereunto required but the same to him to pay doth altogether refuse to the Damage of him ye said Thomas whereupon he saith he is the worse and hath Damage to the vallue of one hundred and fifty pounds sterling and thereupon he bringeth his suite.

And the said Christopher Rousby by John Rousby his Attorney and the said Garrat Vanswearingen by Robert Carvile his Attorney come & Defend the force & injury when &c and they both pray liberty of Speaking unto the same untill the first day of the next Provincial Cort and it is graunted unto them and the same day is given unto the said Thomas likewise

At which day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. came the said Thomas Hawkins by Kenelm Chiseldine his Attorney and offered himself agt the said Christopher and Garrat Attornyes of the said Alexandr of and upon the prmises but ye said Christopher and Garrat appeared not but made default, wherefore it is considered by the Cort that the said Thomas Hawkins Recover agt the Estate of the said Alexander remaining in the hands of the said Christopher & Garrat the sum̃e of ninety pounds six shillings sterling money and also the sume of foure thowsand nine hundred seaventy and three pounds of Tobacco for the Debt aforesayd so due as aforesayd as also the sum̃e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended. and the said Alexandr in mercy &c

Garrat Vanswearingen
agt
Cornelius Steuart
Kenelm Chiseldine
agt
Cornelius Steuart

These two Causes Continued untill next Cort.

Liber M M
p. 41

Henry Phipps
ag^{t}
Thomas Marsh

Thomas Marsh late of Ann Arundell County planter was sumõned to answere unto Henry Phipps Administrato^{r} of the goods and Chattels of Edward Maynard Marriner deceased of a plea that he Render unto him his Reasonable account of the time he was Receiver of the Tobacco of him the said Edward in his life time w^{ch} to him to make Justly he ought.

And whereupon the said Henry by John Morecroft his Attorney saith that whereas the said Thomas the 17th day of May in the yeare 1671 was the Receiver of the Tobacco of him the said Edward in his life time to Receive to and for the use of him the said Edward the sum̃e of forty Thowsand six hundred Seaventy and Eight pounds of Tobacco due from Severall psons in Ann Arundell County a particuler whereof and the names of the psons are hereunto annexed and filed and also the sum̃e, of *fforty Thowsand six hundred Seaventy and Eight pounds of Tobacco due from severall psons in Ann Arundell County* twenty nine Thowsand three hundred thirty nine pounds of Tobacco in bills and accounts Received by the said Thomas Marsh of the said Edward Maynard and also of the sum̃e of Thirty Two Thowsand six hundred and thirteene pounds of Tobacco in Baltamore County the particuler bills whereof the said Thomas Received by the hands of Michael Gibson to Render his Reasonable account thereof when thereunto Required, Yet neverthelesse the said Thomas Reasonable account thereof to the said Edward in his life time nor to him the said Henry after the death of the said Edward to whome Administration of all and singuler the goods & Chattells was Comitted hath Refused and yet doth Refuse to the greate Damage of the said Henry and in hinderance of the Administration aforesayd, whereupon he saith he is Damnifyed and hath losse to the vallue of One hundred Thowsand pounds of Tobacco, and thereupon he bringeth his suite, and the said Henry bringeth here into Co^{rt} the said Letters of Administration whereby it may appeare to the Co^{rt} here that Administration of all and singuler the goods and Chattells of him the said Edward was to the said Henry Committed, and that of them he hath the Adcoñ

And the said Thomas Marsh by George Parker his Attorney cometh & Defendeth the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^{rt}, and the same day is given unto both ptyes.

At which day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. came the aforesayd Henry Phipps by John Morecroft his Attorney and the said Thomas Marsh by George Parker his Attorney came likewise, and the said Marsh nor his Attorney sayd nothing in barre of the p^{lts} accoñ aforesayd, wherefore it is the Judgem^{t} of the Co^{rt}

that the said Thomas Marsh doe account with the said Henry Phipps accordingly. Liber M M

It was therefore Comanded unto the Sheriff of Ann Arundell County that he take Thomas Marsh late of Ann Arundell County gentl and him safely Keepe so that he have his body before the p. 42 Justices of the next Provincial Co^{rt} to be holden at the City of St Maryes the 11th day of November next to render to Henry Phipps Administrato^{r} of the goods and Chattells of Edward Maynard deceased his reasonable account of the time in which he was Receiver of the goods of him the said Edward in the life time of the said Edward, whereupon in the same Co^{rt} it is Considered of that the said Thomas Marsh shall account with the said Henry and that he should have then and there the said writ.

Thomas Simson
ag^{t}
Richard Edelen &
Justinian Tennison

ffrancis Holland
ag^{t}
Henry Beedle & ux

James Nuthall
ag^{t}
Thomas Sprigg

Philip Udall
ag^{t}
Henry Mitchell

Henry Holyer & al
ag^{t}
ffrancis Kilborne

Richard Hooper
ag^{t}
W^{m} Groome

These six Causes are Continued untill the next Provincial Co^{rt}.

Vincent Atchinson
ag^{t}
Marke Cordea

Marke Cordea late of St Maryes County gent^{l} otherwise called Marke Cordea of St Maryes Citty Alderman was sum̃oned to answere unto Vincent Atchinson of a plea y^{t} he render unto him One Thowsand seaventy and six pounds of Tobacco which to him he oweth and unjustly Deteineth.

And whereupon the said Vincent Atchinson by John Morecroft his Attorney saith that whereas the said Marke Cordea the 27th day of Aprill in the yeare 1672 by his certeine bill obligatory signed and sealed with the seale of the sd Cordea the day and yeare abovesayd here in open Co^{rt} brought did binde himself his heirs Executo^{rs}

Liber M M and Administrato^{rs} to pay or Cause to be payed unto the said Vincent Atchinson his heires Executo^{rs} Administrato^{rs} or assignes the sum̄e of One Thowsand seaventy and six pounds of good Legall Casked Tobacco at the tenth day of November next in some Convenient place in St Maryes County Notwithstanding which the said Marke Cordea the said sum̄e of One Thowsand Seaventy and six pounds of Tobacco hath not yet payd though often thereunto Required, but the same to pay hath refused and yet doth refuse to the greate Damage of the said Vincent Atchinson, whereupon he saith he is Damnifyed and hath losse to the vallue of Two Thowsand pounds of Tobacco and thereupon he bringeth his suite.

p. 43 And the aforesayd Marke Cordea by Kenelm Chiseldine his Attorney doeth come and Defend the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provinciall Co^{rt}, and the same day is given to both partyes

At which day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoꝗ Domini 1673. Came the aforesayd Vincent Atchinson by John Morecroft his Attorney and offered himself against the sd Marke Cordea of and upon the p^{r}mises, and the said Marke Cordea appeared not but made default, where it is Considered by the Co^{rt} here that the said Vincent Atchinson Recovere against the said Marke Cordea aswell the sd sum̄e of One Thowsand seaventy and six pounds of Tobacco his Debt aforesayd as also the sum̄ of pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Marke Cordea in mercy &c.

Thomas Dawborne ag^{t} John Cumber
Robert Chapman ag^{t} William Stanley
upon Errors Continued untill the next Provincial Co^{rt}.

Thomas Sprig ag^{t} James Nuthall
Alexand^{r} Dyhiniossa ag^{t} Tho: Hawkins
The Defend^{ts} appeare by their Attornyes and imparle untill y^{e} next Provincial Co^{rt}.

John Brookes ag^{t} Humphry Keitly
The Sheriff of Ann Arundell County having Retorned to the Co^{rt} here that the Defend^{t} absconds himself whereby he Could not take him as by the writ he was Comanded

Ordered by the Co^{rt} that the p^{lt} file a Declaration ag^{t} the Defend^{t} Liber M M and that an attachm^{t} issue ag^{t} the goods of the Def^{t} according to Act of Assembly in that case provided.

Benjamin Rozer
ag^{t}
Nicholas Solby

The Def^{t} not appearing by himself or his Attorney at the Request of the p^{lt} the Cause was Continued untill the next Co^{rt}.

John Maltby
ag^{t}
John Quigley

The Defend^{t} appearing by his Attorney the p^{lt} Demanded Speciall Bayle w^{ch} being graunted by the Co^{rt}, the Defend^{t} appeared in pson and brought Garrat Vanswearingen his Security, who did acknowledge and undertake for the said John Quigley in the sum̃e of Thirty Thowsand p. 44 pounds of Tobacco to be leavyed of his goods and Chattells lands and Tenem^{ts} to the use of John Maltby p^{lt}, upon this Condition, that if the said John Maltby doe obteine a Judgem^{t} in a certeine action of Trespas upon the Case depending in this Co^{rt} ag^{t} the said John Quigley the def^{t}, That then the said John Quigley shall pay the Condemnacoñ or Deliver himself to the prison of the Sheriff of the County of St Maryes or that the said Vanswearingen will doe it for him.

The Court further ordered in this Cause that the same come peremptorily to tryall the next Co^{rt}.

John Morecroft
ag^{t}
Hugh Oneale

Richard Moy
ag^{t}
John Eason

Job Walton
ag^{t}
John Brooke

Thomas Gaunt
ag^{t}
ffrancis Gunby &
Mathew Smith

Arnold Elzey
ag^{t}
Richard Whittey

In these five Causes the Severall Defend^{ts} appeare by their Respective Attorneys & imple untill the next Provincial Co^{rt}.

Benjamin Rozer
ag^{t}
Richard ffowke

This Cause by consent of y^{e} p^{lt} was Continued untill next Co^{rt}.

Liber M M Garrat Vanswearingen
agt
Henry Mitchell
Thomas Wynn
agt
Wm Marshall
Garrat Vanswearingen
agt
Henry Smith
The same
agt
The same
John Offey
agt
Henry Exon
Robert Carvile
agt
Joseph Brough

In these six Causes the severall Defendts appeare and imparle untill the next Provinciall Cort.

p. 45 Edward ffitzherbert &
Caleb Baker
agt
James Lewis
John Cooper
agt
Mary Pyne
Thomas Mathewes
agt
Thomas Wynn

The Severall Defendts appeare and imparle untill the next Provincial Cort.

Walter Sencarfe
agt
Josias ffendall

This Cause by Consent of Attornyes of both sides was Continued untill the next Provincial Cort.

Then did his Lopps Justices adjourne the Provincial Court untill the 11th day of November next.

Know all men by these prsents that I John Maltby for my selfe and John nethway mrchants. Covenant Bargaine & Agree with mr. John Quigley of Virginia mrchant. That wee the said John Maltby & John Nethway or either of us or our Order Shall well & truely Deliver to the said John Quigley or his Order at the Arrivall of the good shipp called the mary of London whereof John Litchington is Comandr. and now Rideing at Anchor in the Government of New Jarsey, and bound for ffyall and thence to Virginia to say ffifty pypes of merchantable ffial wynes to be Rackt & ffull uppon

receipt thereof the said John Quigley doth hereby Promise to pay Liber M M
or cause to paid unto the abouenamed partyes or their Order the sum̃e of One Thowsand Two hundred & ffifty pownds of good sound m^r^chantable Tobacco in Casque to Be Punctually Delivered within Thirty dayes after the said shipps Arrival in Virginia without fraud or further Delay, for the Just & true performañce of this Bargaine or Contract we seu^r^ally binde our selues heyres Executo^rs^ & Adm̃in^rs^ in the sum̃e of ffiue hundred pounds sterling to be Leavyed on the party that shall not performe this Agreement. In witnesse hereof wee haue hereunto sett our hands & Seales the 23^d^ day of November. in the 23^d^ yeare of his Majesties Raigne. Annoqꝫ Dom̃ 1672.

Signed Sealed & Deliu^r^ed John Maltbie. sealed
in the p^r^sence of us John Quigley. sealed.
It is agreed before Deliu^r^y that if any Dutyes
are to be paid for the said wynes m^r^ Quigley is to pay it
John Litchington
John Slater
W: Rielee

Know all men by these p^r^sents that wee John Maltby m^r^chant & p. 46
John Litchington Comand^r^ of the good shipp Mary of London. Doe hereby Joyntly & seu^r^ally acknowledge our selues to owe & stand Justly indebted unto John Quigley of Virginia m^r^chant in the Just & full sum̃e of ffive hundred pownds ster̃l. to be paid to the said John Quigley his heyres Execut^rs^ Admin^rs^ or assignes at the tyme herein hereafter mentioned for the Just & true p̃formance herof we bynde our selues our heyres Execut^rs^ & Admin^rs^ firmely by these p^r^sents. in wittnesse hereof wee haue hereunto sett my hands and seales this 29^th^ day of November in the 23^d^ yeare of his Majestyes Raigne. Annoque Domini. 1671.

The Condition of the aboue Obligacõn is such that whereas there is a Contract bearing date the 23^d^ instant signed and Deliu^r^ed betwixt the aboue bounden John Maltby and the said John Quigley for ffifty pypes of ffiall wynes to be Deliu^r^ed to the said John Quigley or his order According to the Condicõn mencõned in the said Agreement without Altering the Voyages. but shall Justly pforme the same according to Covenant and Charter party without fraud that then this aboue Obligacõn shall be Voyd else to Remayne in full force

Signed Sealed & Deliu^r^ed
in the p^r^sence of us Walt. Webly John. Maltbie sealed
W. Rielie John. Litchington. sealed

April the 16^th^ 1673.

Came Wm̃ wright Sonn of wiłłm Wright Late of Poplar hill in s^t^ Maryes County Deceađ by Thomas Bennett his Guardian and

Liber M M Desired his Cattle & Hoggs marke to be Recorded. which is as ffol̄. vizt.

The Right Eare Over Keel̄d̄, the left Eare Cropt & a slowp under the Cropp.

May the 16th 1673

Came William Meekin of Brittons Bay. and Desired that his marke might be Recorded. which is as foll̄. vizt,

The left Eare underkeel̄d̄. the Right eare Overkeel̄d̄ and a hole underneath the overkeele

p. 47 Know all men by these presents that I Jonathan Seybry of Wye River in the Province of maryland Gentl̄. Doe make Ordeine and Constitute my ffreind John Walley of Boston in New England my true & Lawfull Attorney for me & in my name and for my use, To Aske Demand Receive of any Person or Persons in New England any sum̄e or sum̄es of money goods or mʳchandizes. or from their heyres Executʳˢ Adminʳˢ or assignes whether due now or that may be due, either by bill booke or by Contract, or any way or meanes whatsoeuʳ, and upon the non payment thereof, the said Debtors or either of their Executʳˢ Adminʳˢ or assignes and in my name to sue Arrest Imprison implead & Prosecute for yᵉ same, and upon such suit to proceed to Judgment & Execution. and therupon the said Debtors or either of their Executʳˢ or assignes in Prison to hold and keepe untill payment thereof be made, with all Costs & damages susteined & to be susteined by occasion of deteyneing the same, and uppon payment of the same, the sayd Debtors or either of their Executʳˢ Administratoʳˢ or assignes forth of Prison to discharge and Acquitt and Accquittances for the same or any part thereof for me & in my name to make seale & Deliver, and also to doe performe & Execute and euʳy Lawfull & Reasonable Act & thing whatsoever both for obteyneing & discharḡing of the same, as shall be needfull to be done. Giueing and by these pʳsents graunting unto my said Attorney my full & absolute power in the premisses Ratifying and Confirmeing all & whatsoeuʳ my said Attorney shall Lawfully doe or cause to be done in & about the premisses, by vertue of these pʳsents In witnesse whereof I haue hereunto set my hand and seale the Twenty fifth day of May in the yeare of our Lord One thowsand six hundred seaventy one, I doe further giue & graunt to my said Attorney power, Attorney or Attorney, under him to make and the same againe, to Revoake, this being Added before signeing and sealing hereof

Signed Sealed & deliuʳed
in the pʳsence of us. Jacob Jesson
John walley.
Wᵐ Gard

Jonā Sibrey (his seale)

Indorsed as followeth. Liber M M

Jacob Jesson & John walley Marrino^r the Two first witnesses to thy Letter of Attorney did see. Jonathan Sibrey seale and Deliver thy Instrum^t. as his Act. & Deed,

Taken upon Oath. January the 2^d. 1671
before Edward Ting. assistant,—vert—

This is a True Coppie of the Orriginall word for word as it p. 48
stands upon Record on the 116 page of the fourth booke of Records of the notary publique of the Massachusetts Collonie of New-England, and out thence drawne & Examined the 4^th day of ffebruary. 1672. p Robert Howard. Nott. Publ Collonie predict

Memorān^d upon the sixth day of february. 1672. wee whose names are under written. Examined & Compared the writeing aboue with the Record of the Notary publique of the massachusetts Collony

James Beaumont
Beñ Ganson

Boston in New England

Whereas Articles of Agreement bearing date the Twentieth day of May last past, were made sealed and Interchangably Delivered between Richard Wharton of Boston afforesaid m^rchant on the one pt. and Jonathan Sibrey of wye River in Maryland gent on the other pt. for pformance of the Covenants & Conditions in said Articles Expressed, And whereas the said Jonathan Sibrey hath by A Letter of Attorney under his hand & seale bearing date the Twenty ffifth day of may aforesd, ffully and sufficiently Impowered me the said John walley of Boston m^rchant in his name and for his use to receive from any pson whatsoeu^r such sumes or sattisfaccōn as might upon any Contract or acc^ot. or by any way or meanes whatsoeu^r. become due to him the said Sibrey and thereupon discharges and Accquittances to giue, Now I the said John Walley by Virtue of the power aforesaid and for use of said Sibrey Doe Acknowledge to haue receiued ffrom the said Richard Wharton the sume of Sixtie nyne pounds New-England money In full Compliance with, and sattisfaccōn for all Debts dues and demands ariseing or any wayes proceeding or Accrewing from any Covenant Article Conditon or Contract whatsoeu^r made betweene the said wharton and Sibrey and I doe by these p^rsents upon the Consideracōn afforesd, for & on y^e behalfe of said Sibrey Clearly fully & absolutly acquitt the said wharton from all & every the Ingagements Covenants & Contracts in the said Articles, and from all demands that may be made by p. 49
Virtue thereof, Wittnesse my hand and seale the Third of January. One Thowsand six hundred seaventy & one, (his seale)

John Walley Attorney to Jonathan Sibrey.

Liber M M This Accquittance was Signed sealed and Delivered in presence of Robert Howard—Nott. Publique
Massachusetts Collonie Nova Anḡlia—& John Howard.

This is a True Copie of the Orriginall word for word as it stands upon Record on the 116. page of the fourth Booke of Records of the Notary Publique of said Massachusetts Collonie of new England. and out of thence drawne & Examined the 4th day of feƀ. 1672
p̄ Robert Howard. Nott. pƀl̄—Collonie predict

Memorand̄ upon the sixt day of ffeƀ. 1672. Wee whose names are under written Examined & Compared the writeing aboue, with the Record of the notary publique of y^{e} Massachusetts Collony
James Beaumont
Ben̄ Ganson

Know all men by these presents That I Richard Salwey of the City of Worcester Gentl̄. Brother and Executo^{r} of the last will & Testament of Anthony Salwey late of Ann Arundell County in the Province of Maryland Deceased, Who Lately Dyed in England, Have made Assigned Ordeyned Authorized Appointed and Deputed and in my place and stead by these presen̄ts haue put & Constituted my Trustly and welbe Loved ffreind Edward Perrin of the City of Bristoll merchant my True and Lawfull Attorney for me & in my name and stead, and to and for my onely prop use and behoofe To Aske Demand, sue for, Leavye, Recover, and Receive of John Sollers, and of all & eu^{r}y other pson and psons whome it shall or may Concerne. Inhabiting Resideing or abyding in Maryland, All such Tobaccoes, goods, Wares merchandizes, wrytings, Bills, Debts, dues, & Demands whatsoeu^{r}, which were due oweing or belonging to my said Late Brother Anthony Salwey Deceased, and now due & belonging unto me whether the same be by Bill Bond Booke Accompt, or by any other wayes or meanes howsoeu^{r}, or for any matter or cause whatsoever, And also to Demand Enter into and take Posession of all such Lands, Plantations, Servants, and Cattle, as did belong unto my said Late Brother at the tyme of his Death in Mary-
p. 50 land, And the same to Lett sett and Dispose of ffor my best Advantage, As my said Attorney shall thinke ffitt, And to Call the sayd John Sollers or any others to Accompt & Reckoning Concerneing the premisses, Giveing and by these presents Graunting unto my said Attorney my full power and Authority in the premisses for me & in my name & stead To Sue Arest, Attach, Implead Condemne & Imprison the said John Sollers or any other of the said psons so Indebted unto mee, or which doe or shall Deteyne from me any Lands Plantations Goods Servants, or Cattle, And any of his or

their Goods or Chattells, and him & them and his & their Goods and Chattells out of prison againe to deliver or cause to be Delivered, And also to Compound & make Composition with him or any of them Concerning the premisses, and after the receipt thereof or Composition made, Accquittances or other Lawfull Discharges for the same so Received or Compounded for, for me and in my name & stead to make Seale & Deliver as my Act & Deed Attorney also or Attorneyes one or more under him to make & substitute and the same againe at his pleasure to Revoake, And Generally to doe Execute performe ffulfill and ffinish all and whatsoever else shalbe Needfull or necessary to be done in or about the p^r^misses in as Large and Ample manner & forme, To all Intents and purposes whatsoeu^r^ as I my selfe may or might doe if I were there psonally present or the doer thereof, Rattifyeing Confirming and Allowing all and whatsoeu^r^ my said Attorney shall doe or cause to be done in or about the premisses, To be as good and Effectuall in the Law as if I had done the same in myne owne pson. Wittnesse my hand & seale in Bristoll the sixth day of September in the ffower & Twentieth yeare of the Raigne of our sou^r^aigne Lord Charles the second King of England &c. Annoq₃ Domini—1672. Liber M M

Sealed and Deliu^r^ed in the Richard Salwey sealed
presence of John Rogers. Richard Harry,
Peter Perkes. Zachary Smith,
Alexand. Thompson
Thomas Hartwell. No^tr^ Pub^t^

proved before me p Zachary
Smith one of the wittnesses
in the Country Xber. 12^th^
1672
Charles Calvert

proved before me by the Oath of
Peter Perkes one of the witnesses
to the abouesd Lre of Attorney the 7^th^ May Charles Calvert
1673

May 15^th^ 1673.

Reced. then of m^r^ Robert Ridgely One bill Entred into by Richard Cadmore for payment of Three Thowsand pounds of Tob unto John Richardson, one other bill entred into by Symon Richardson & John Brooke for payment of ffower Thowsand pounds of Tobacco to the said John Richardson, and also One other bill for Paym^t^ Eight hundred & odd pounds of Tobacco to the said Richardson, which said Bills were by order of the Hon^r^ble Provinciall Court Deposited into the hands of the said m^r^ Ridgely to my Use, p. 51

I say reced by me John Clemens

Witnes John Rousby

Liber M M Caecilius &c. Haueing under his hand & Greater Seale At Armes Bearing Date August the first in the xxxxth yeare of his said Lord^{pps} Dominion Annoqꝫ Dom̃ 1671. Constituted & Appointed me Baker Brooke Esqꝫ Survey^{r} gen^{r}all of the Province of Maryland to Exercise & Enjoy the same by my selfe or sufficient Deputy or deputyes. with all thinges thereunto belonging, And I Reposeing Especial Trust Care & Confidence in the Skill & Circumspeccōn of you ffrancis Jenkins gent. In the Layeing out of Lands, Doe by those p^{r}sents Constitute Ordeine & appoint you the said ffrancis Jenkins my true & Lawfull Deputy Survey^{r}. To Survey or lay out in any place in the County of Dorchester within this Province all such Lands which I my selfe might or Could doe by Virtue of my Comission aforesaid. In as full and Ample manner to all intents & purposes as I the said Baker Brooke Esqꝫ might or could doe if psonally present by Virtue of the abouesaid Commission, Provided that you the said ffrancis Jenckins doe from tyme to tyme & at all tymes hereafter dureing the said Comission Comply with such Instruccōns as you the said ffrancis Jenckins haue or shall hereafter Receive, And shall well & truely pay or cause to be payd to the said Baker Brooke Esqꝫ. the one Moyetie or halfe of all such ffees Due Incident or belonging to the said Office of Deputy Survey^{r} for what you the said ffrancis Jenckins Doe or shall hereafter Survey by Virtue of this Commission Given under my hand and seale this 24th day of march in y^{e} xxxxith yeare of the Dominion of the Right Hon^{r}ble Caecilius &c Annoqꝫ Dom̃, 167⅔:

The abouesaid ffrancis Sworne before me the 24th day of March Annoqꝫ Dom̃, 167⅔. Baker Brooke

p. 52 This bill bindeth me John Larkin of the County of Ann Arundell in the Province of Maryland Inhoulder my heires Executo^{rs} Adm^{rs} or Assignes to pay or Cause to be well and truly payd unto M^{r} William Seares of London Marchant or to his certeine Attorney his Executo^{rs} Administrato^{rs} or assignes the full and Just quantity of Two Thowsand five hundred pounds of good and sound Marchantable Tobacco and Casque To be payd in some Convenient place in the abovesayd County at or upon the Tenth day of October next Ensueing the date hereof, and to the true pformance of this I doe binde myself my heires Executo^{rs} Adm^{rs} & assignes firmly by these p^{r}sents In witness hereof I have hereunto set my hand and seale this 18th day of May in the yeare of our Lord 1669[?]

Signed Sealed & Delivered John Larkin (sealed.)
in p^{r}sence of W^{m} Burges
Henry Stocket, W^{m} Wheately.

Know all men by these presents That I Joseph Brough of s^{t} maryes County in the Province of Maryland, haue & doe by these presents Constitute Ordeyne And Appoint my welbeloved ffreinds, George Marshall & Thomas Doxey of the County & Province afforesaid To be my true & Lawfull Attornyes for me & in my name to Officiate Act or doe in any mater cause or thing whatsoeu^r which either now doth or hereafter shall or may in my Absence Apperteine or belong to me the said Brough, Giueing hereby ffull power & Authority to my said Attornyes to also Demand Recou^r & Receive by Virtue of Law or otherwayes whatsoever Corne Tobaccoe or otherwayes, which either now is due to me the said Brough ꝑ bill or Account or hereafter shall or may become to me due any way or from any pson or psons whatsoev̄r as also to Answer to all suites, Tryalls, sum̄ons, subpeanyes and all true & Just Debts or Demands to sattisfie or cause to Sattisfied out of what Tobacco or otherwayes shall or may Appeare to be due to me either by bill or accompt or out of my servants Cropps, or otherwayes whatsoever shall or may appeare to belong to me the said Brough or any pson Claymeing und^r me to make Lawfull sayle of for sattisfaccōn as afforesaid & not Else, As also to make other Attorney or Attornyes as they shall see Convenyent Rattifying for good Reall & Effectuall whatsoevr they shall in my behalfe Act or doe as necessary needfull and Requisit to be Acted or done as if I my selfe psony were p^rsent, In Wittnesse hereof I have hereunto sett my hand & seale this second day of June, Anño 1673 Liber M M

Sealed Signed & Deliu^red in the Joseph Brough. sealed
p^rsence of us Thomas Potter
William Lovett,

Caecilius Absolute Lord and Proprietary of Maryland &c. To our Deare sonne Charles Calvert our Leivetenant of our said Province Whereas there hath beene Exhibited to us by Thomas Cornwalleys Esq₃ One of the first Adventures to our said Province An Accompt under the hand of Nathaniell Styles late Sheriffe of our County of Baltemore in our said Province, wherein the said Thomas Cornwallys in the yeare of our Lord god One Thowsand six hundred & seaventy, was Debto^r for Two Seates of Land Taken up by him in our said County of Baltemore Conteineing Two Thowsand Acres more or lesse, ffourteene pounds for the Rent of the said Land, ffive Pounds whereof the said Nathaniell Styles doth Acknowledge to haue Receiued, and the Remaynder being nyne pounds Wee doe hereby Acknowledge to haue receiued of the said Thomas Cornwallys and doe Acquitt him for the same, And ffurther wee Doe hereby Declare unto you that at the Humble Instance & Request of the sayd Thomas Cornwallyes and out of our speciall Loue & favour to him as one of our first & Principall Adventures to our said Province It is our will & Pleasure That the said Two Seates of Land Layd out for Two Thowsand Acres more or lesse, shall not be Graunted to any p. 53

Liber M M other pson without our Speciall & ffurther Order therein. Giuen under our hand & lesser seale at Armes the ffifteenth of September: 1672.

C: Baltemore

Maryland ss. By his Excellency the Cap^t^ Gen^ll^

ffor asmuch as the Right Hon^ble^ the Lord Proprietary of this Province hath Revoaked his Comission of Principall Secretary of this Province Graunted unto S^r^ William Talbot Baronett, in which was Included the Respectiue County Clerks places within this Province, and for that his said Lord^pp^ hath left the disposall thereof unto mee, I doe hereby Authorise & Empower william Hemsley of Talbot County gentl̄. To be Clerk of the said County of Talbot and in his hands and Custody to keepe all & singuler the Records of the said County dureing my pleasure, and the said Office to Execute in as full & Ample manner as any other Clerke of the said Court heretofore used and Excercised the same, And to Aske demand Receiue & take to his owne use all fees dues bayles Reguards belonging and appertayneing to the said Office to the said Hemslyes owne use, without being Accomptable for the same to any pson whatsoeu^r^, Giuen und^r^ my hand & seale at Armes the 18^th^ day of June

Charles Calvert, 1673

p. 54 To All People to whome this Present writeing shall Come. I Job Nutt Citizen & Grocer of London within written send Greeting Know yee that I the said Job Nutt for & in Consideracōn of the Sum̄e of Eighty pounds sterling of Lawfull money of England To me in hand at & before the Ensealing and Deluery hereof by Thomas Robins of the Parish of s^t^ Giles without Creeplgate London mercer well & truely paid the Receipt wherof I doe hereby Acknowledge & my selfe to be therewith ffully Satisfied & Contented, and thereof and of eu^r^y part thereof Doe Clearly Acquitt & discharge the said Thomas Robins his heyres & assignes by these p^r^sents, Haue Graunted bargained sould Alliened assigned & sett ouer, and by these presents doe fully & absolutly graunt bargaine sell Allien assigne & sett ouer unto the said Thomas Robins his heyres & assignes the within written Letter Pattents & the One Thousand Acres of Plantation Land more or lesse and all other the p^r^misses by the same Letters Pattents Graunted, And all & eu^r^y the Estate Right Title Interest, use Posession Reuersion Inheritance Clayme & Demand whatsoeu^r^ which I the said Job Nutt my heyres or assignes or any of us haue should may might or of Right ought to haue or can Clayme to of into or out of the said One Thowsand Acres of Plantation Land and other the p^r^misses by the same Letters Patents graunted or to of or in any part or parcell thereof either by virtue force or meanes of the same Letters Pattents or by any other wayes or meanes whatsoeuer To Haue and to hold the said within written

Lottery Patents and One Thowsand Acres of Plantation Land and all other the premisses by the same Leters Patents graunted or mentioned & intended to be hereby bargained & sold and every part thereof unto the said Thomas Robins his heyres and assignes. To the onely prop use and behoofe of the said Thomas Robins his heyres & assignes for ever, ffree & Cleare & ffreely & Clearly Acquitted Exonerted & discharged of & from all & all maner of fformer & other bargaines sales Guifts Graunts Leases assignments surrenders Rents Charge Rents seck—Arrearages of Quit Rents Debts of Record fforfeitures Cause & Causes of fforfeiture, and of & from all other Estates Titles Charges Troubles & Incumbrances whatsoeu^{r} had made Committed done or suffered by me the said Job Nutt, the Cheife Rents & services from & after the ffeast day of s^{t} michaell the Archangell next ensueing the date of these presents, which are Accustomed & shall Grow due To be payd done and performed on the part & behalfe of the said Thomas Robins his heyres & assignes p. 55 To the Cheife Lord of the ffee of the premisses (only Excepted) In wittnesse whereof I the said Job Nutt haue hereunto set my hand & seale this six & Twentieth day of August. Annoq̄ Dom̄ 1670. and in the Two & Twentieth yeare of the Raigne of our sou^{r}aigne Lord Charles the Second by the Grace of God of England Scotland france & Ireland King Defendo^{r} of the ffaith &c

Sealed & deliu^{r}ed in Job. Nutt. sealed
the presence of. Nehemiah Tommes
Joseph Osborne

The abouewritten Deed or bill of sale was written on the backside of A Coppie of the Patent of the said Land. as apps. lib̄ A. A. fol̄ 503

Underneath the said bill of sale was thus written as ffol̄. vizt

My Lord Baltemores Sonne Charles Calvert Esq̄ Leiv^{t} gen^{ll} of maryland is sattisfied that the Allienac̄on money (vizt 20^{s}, was paid in his p^{r}sence to my Lord by m^{r} Job Nutt. and hath Taken a Coppie of the Receipt with him to see it entred in Court in maryland. he is also sattisfied by the Receipts Showne him that all the yearly Rent is discharged to the last year. which shall be pd at michellmas next when it is due to my Lord, And I shall Constantly pay it for the future

The Patent also subscribed on the backside by the secretary & Survey^{r} at that tyme in Maryland

Received the 31th of August 1670. of m^{r} Job Nutt. the Sum̄e of One pound sterl̄. being for the Allienacōn of a Thowsand Acres of Land in Talbot County in Maryland. Called Jobes Content, and sold by him to m^{r} Thomas Robins I say reced̄ as afforesd the sum̄e of .... 1^{l}-0^{s}-0^{d}

C Baltemore

Liber M M Received the 3d of may 1669. of mr Job Nutt the sum̄e of ffoure pownds sterling in fūll of all Rents due to me at michellmas last past for One Thowsand Acres of Land called by the name of Jobes Content, in Choptanke hundred in Talbot County in Maryland I say Recd̄ as afforesaid the sum̄e of.................. 4l-0s-0d

C: Baltomore

p. 56 This Indenture made the sixth day of September Annō Dom̄, 1671 And in the Three & Twentieth yeare of the Raygne of our Souraigne Lord Charles the Second by the grace of God King of England Scotland ffrance & Ireland Defender of the faith &c. Betweene Thomas Robins of the Parish of st mary le Bow of London Mercer of the One parte, And George Robins of Buckingham in the County of Buck̄s. gent. of the other parte Wittnesseth, That the said Thomas Robins for & in Consideracōn of the Sum̄e of ffifty pounds of Lawfull money of England to him in hand payd by the said George Robins Att & before the Ensealing & Deliury of these prsents The Receipt whereof he doth hereby Acknowledge and himselfe therewith fully sattisfied & paid And thereof & of eury part & pcell therof doth absolutly Acquitt Exonerate & discharge the said George Robins his heyres Executors & Administrators and eury of them for ever by these prsents Hath Graunted Bargained Sould Alliened remised Released quite claymed and Confirmed, And by these prsents Doth absolutly Graunte Bargaine Sell Allien Remise Release quite clayme & Confirme unto the said George Robins his heyres and assignes for ever In the said George Robins his Actuall Posession & seizin Being by virtue of an Indenture of Bargaine & sale bearing date the day before the day of the Date of these presents made by the said Thomas Robins to the said George Robins for the Consideracōn of ffyue shillings Of the moyetie or halfe part of the Land herein aftermentioned for the Tearme of six Monthes from the day before the day of date of the said Indenture At & for the Rent of one Pepper Corne therupon reserued And by Virtue of the statute for Transferring uses into Posession in that behalfe made & Provided, All that the moyetie or halfe of all that parcell of Land called, Jobes Content, Lyeing on the East side of Chisepiake Bay, and on the north side of Choptanck River and on the north side of the Easterne branch of a Creeke called Tredavon Creeke, Begining at the Eastern bounded Tree of Capt miles Cooke his Land and Rum̄ing for breadth southeast along the ffresh Run of the said Creeke for ffiue hundred perches to a marked Oake standing by the side of the said ffresh Rum̄n. and Rum̄ing for length North East for Three hundred & Twenty perches Till it Intersect A p. 57 Parralell Line drawne north west for ffive hundred perches to the Land of the said Myles Cooke on the west with the said Land, on the South with the ffresh Runn, on the East with the said North East

Line, on the north with the said Paralell, Conteyneing and now laid out for One Thowsand Acres more or lesse, Togeather with the Moyetie or halfe parte of all Rights Proffits & Beneffits thereunto belonging Royall mynes Excepted, And also all the estate Right Title interest trust Use property ffree hold Inheritance Clayme & Demand whatsoeu^r of him the said Thomas Robins of in & to the said Moyetie or halfe parte of the said Land & premisses and eu^ry part & parcell thereof and the Reversion & Reversions, Remaynd^r & Remaynd^rs Rents Issues and Proffits of the said Moyetie or halfe part of the said Lands & premisses and eu^ry part & parcell thereof, Which said parcell of Land and premisses are lyeing and being in Maryland or Avalon or one of them in parts beyond the seas and were by Letters Patents Lately graunted to Job Nutt of London Merchant by Caecilius absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore under his Great seale of his said Province of maryland bearing date the Twentieth day of Aprill which was in the Two & Thirtieth yeare of his Dominion over Maryland afforesaid Anno Dom̃, One Thowsand six hundred sixtie & fowre, And which said Leters Patents and the Lands therin & herein before menconed were since bargained sold and assigned by the said Job Nut to the said Thomas Robins his heyres & assignes as by the said Letters Patents and an Endorsm^t on the backside thereof whereunto Relation being had more fully and at large it doth & may appeare, To haue and to hold the said Moyetie or halfe part of all the said Lands and all and singuler other the premisses before in & by these presents mentioned or intended to be Graunted bargained sold Alliened remised released quit claymed and Confirmed, and eu^ry part & parcell thereof withall the Appurtenñ^es unto the said George Robins his heyres and assignes for ever To the onely use and behoofe of the said George Robins his heyres and assignes for ever, and to and for none other use intent or purpose whatsoeuer Liber M M

And the said Thomas Robins for himselfe his heyres Executo^rs & Administrato^rs and for eu^ry of them Doth Covenant Promise graunt and Agree to and with the said George Robins his heyres & Assignes and to and with eu^ry of them by these presents in manner & forme ffollowing (That is to say) That he the said Thomas Robins at the Tyme of the Sealing & Delu^ry of these presents is and standeth Lawfully seized of the moyetie or halfe part of the said Land & premises and of eu^ry part thereof of a good sure perfect and Indefeasable estate of Inheritance absolute to him & his Heyres for eu^r without any manner of Condition Vse Limitation or other mater or thing to Defeate Alter charge change or otherwise make Void or Incumber the same, And now hath in himselfe full power good Right and Lawfull & absolute Authority To Graunt Bargaine sell and Convey all the said Moyetie or halfe part of the said Land and p. 58

Liber M M premisses and eu^{r}y part & parcell thereof unto the said George Robins his heyres and assignes for ever According to the purport true intent and meaneing of these p^{r}sents And that the said George Robins his heyres and assignes shall and may from tyme to tyme and at all tymes from henceforth for euer hereafter Lawfully peaceably and Quietly haue hold Occupy Posesse and enjoy the said moyetie or halfe part of all the said Lands and premisses before herein mencoñed or intended to be hereby granted Bargained sold Alliened Remised Released quit claymed & Confirmed and eu^{r}y part & parcell thereof withall the Appurtennãnces without the Lawfull Lett Suite Trouble Interruption Clayme or demand of or by the said Thomas Robins his heyres or assignes or any of them or of or by any other person or persons Claymeing or to Clayme by from or under him them or any of them, And that the said premisses and eu^{r}y part and parcell thereof now are & be ffree and cleare and so from tyme to tyme and at all tymes from hencforth for eu^r hereafter shall be Remayne and Continue and be had holden and enjoyed unto and by the said George Robins his heyres and assignes ffree and cleare and ffreely and Clearly Acquitted Exonerated and Discharged of and from all & all manner of former and other Guifts Graunts bargaines sales Leases uses wills intayles Joyntures Dowers and Right and Title of Dower, Rent Charge Rent Seck Rents and Arrearages of Rent Statutes marchant and of the staple Recognizances Judgments p. 59 Statutes Extents Executions Estates Titles Charges Troubles, and Incumbrances what soeu^r had made Committed suffered or done or to be had made Committed suffered or done by the said Thomas Robins his heyres or assignes or any of them or of or by any other person or persons Claymeing or to Clayme by from or under him them or any of them. The Cheife Rents and services which are Accustomed and shall grow due to be paid and done on the part of the said George Robins his heyres and assignes To the Cheife Lord or Lords of the ffee or ffees of the premisses for the said Moyetie or halfe part of the said Land & premisses Onely Excepted and fforeprized And ffurther the said Thomas Robins for himselfe his heyres Execut^{rs} and Administrat^{rs} and for every of them doth Couenant promise and graunt to and with the said George Robins his heyres and assignes and to and with eu^{r}y of them by thuse presents that he the said Thomas Robins and his heyres and all and eu^{r}y other person or persons Lawfully Claymeing Or to Clayme any estate Right Title Interest Clayme or demand of in or out of the said premisses hereby Graunted Bargained and sold or any part thereof by from or under him them or any of them shall and will from tyme to tyme and at all tymes hereafter dureing the Space of seaven yeares next ensueing the date of these p^{r}sents uppon eury Reasonable Request and at the Cost & Charges of the said George Robins his heyres & Assignes make doe Acknowledge Leavy suffer & Execute And cause and procure to be made done Acknowledged Leavyed Suffered & Executed, Liber M M all and eu^{r}y such ffurther and other Lawfull & Reasonable Acts Deeds and thinges Devises Conveyãnces and Assuraañces in the Law whatsoeu^r for the further Better and more absolute Conveying and Assureing and Confirming of the Moyetie or halfe part of all the said premisses before herein and hereby Graunted bargained sold and Confirmed with all the Appurtennañces, unto the said George Robins his heyres and assignes for eu^r, According to the true intent & meaneing of these presents be it by Deed or Deeds Inrolled or not Inrolled ffine or ffines ffeoffment or ffeoffments, Recou^{r}y or Recou^{r}yes, Release Confirmation or otherwise as by the said George Robins his heyres or Assignes or his or there Councell Learned in the Law shall be Reasonably Devised or advised and Required soe as such ffurther Assurance Include or Conteyne noe ffurther or other warranty or Covenant, then onely as afforesaid And so as hee or they be not Compelled to Travell further the[n] the Cittyes of London and Westminister or either of them for doeing the same, And it is p. 60 Covenanted Concluded Declared and Agreed by and betweene all the said partyes to these presents for them & their heyres that all and eu^{r}y ffine and ffines ffeoffments Recou^{r}yes Releases and other assureances whatsoeu^r allready had made Acknowledged Leavyed Suffered or Executed or hereafter to be had made Acknowledged Leavyed Suffered or Executed of upon or Concerneing the Moyetie or halfe part of the said Land and p^{r}misses or any part thereof by or between the said partyes to these presents or any of them or by any others with their or any of their Consents, or whereunto they or any of them are or shall be party or privy by what name or names soeuer shall be and Enure And are and shall be Construed Adjudged Deemed and Taken to be and to Enure, And the full force Effect and Execution of them & eu^{r}y of them shall be & Enure To and for the only prop use & behoofe of the said George Robins his heyres & assignes for eu^r, And to and for none other use intent or purpose whatsoeuer, In wittnesse wherof the said partyes to these Indentures Interchangably haue sett their hands and Seales the day and yeare first aboue written,

Sealled & Deliu^{r}ed in the Thomas Robins Sealed
presence of us Thomas Pollard
Timothy ffreese
William Smith

This Indenture made the foure & Twentieth day of May in the yeare of our Lord God One Thowsand six hundred seaventy three, Betweene John ffitzherbert of west s^t maryes in St Maryes County in the Province of Maryland gent. & mary his wife of the One pt, And Richard Moy of s^t maryes Citty in the same County Inhoulder of the other pt Wittnesseth that the said John ffitzherbert & mary his

Liber M M wife, for & in Consideration of the sum̄e of One hundred Thowsand-pounds of Tobaccoe To them in hand payd by the said Richard Moy At & before the Ensealing and Deliu^{r}y of these p^{r}sents The Receipt whereof they and either of them doe Confesse and acknowli[ge] and thereof and of eu^{r}y part & parcell thereof for themselues their heyres Executo^{rs} & Administrato^{rs} Doe Release, Acquitt Exonerate and p. 61 discharge him the said Richard moy his Executo^{rs} Admin^{rs} & assignes by these presents, And for divers other good Causes & Consideracc̄^{s} them thereunto especially moveing Have Graunted Alliened Bargained & sold And by these p^{r}sents Doe Graunt Bargaine Allien & sell unto the said Richard Moy his heyres and assignes, All that the neck of Land Lyeing nearest Togeather about Kent fforte bounding on the East west & south with Chesepeak bay, on the North with a Lyne drawne through the woods straight East begining at the Northeastermost branch of the Creeke called Northwest Creeke and ending in a swamp on the East side of the said neck in Chesepeake bay, Conteyneing and layd out in the whole for One Thowsand acres be the same more or lesse, and Called by the name and Manno^{r} of Kent fforte and Lyeing in Kent County in the said Province, which said Manno^{r}, and Land afforesaid was about the seaventh day of Septemb^{r} in the yeare of our Lord One Thowsand six hundred & forty. By Letters Patents under the Great seale of this Province, Graunted by the Right Hon^{ble} the Lord Proprietary of the said Province of Maryland, To Gyles Brent and his heyres & Assignes for euer To be held of his Lord^{pps} Hon^{r} of s^{t} maryes. under the Rent of Two Barrells of Corne, And by the said Gyles Brent graunted and Conveyed to margaret Brent her heyres & assignes for ever, And by the said Margaret Graunted Conveyed Given devised or bequeathed to the said mary, late mary Brent Daughter of the said Gyles & neece of the said Margarett, And now wife of the said John ffitzherbert pty to these p^{r}sents and her heyres for Eu^{r}, And all Lands Tenem^{ts} Hereditaments and Appurtenañces whatsoeu^{r} to the same manno^{r} and p^{r}misses belonging or in any wise Apperteyneing, and all houses Edifices buildings, Orchards Gardens Thereunto Appteineing and the Reversion & Reversions Remaynd^{r} & Remaynd^{rs} thereof and all Rents Reserued upon any demise thereof, And all the estate Right & Title they or either of them haue unto the same, Togeather with all & singuler Evidences Deedes Charters, Grauntes Patents minum^{ts} & wryteings whatsoeu^{r} Concerneing the same, To Haue And To Hold, the said Manno^{r} Land & p^{r}misses and eu^{r}y pt and pcell thereof with their & eu^{r}y of their appurten^{es} unto him the said Richard Moy his heyres and assignes for eu^{r}, To the onely use of the said Richard Moy his heyres and assignes for p. 62 ever And the said John ffitzherbert and mary his wif doe for themselues their heyres Executo^{rs} and Administrato^{rs}. Couenant graunt & Agree to and with the said Richard Moy his heyres Executo^{rs} &

Administrato^{rs} & Assignes by these p^{r}sents, That they the said John Liber M M & mary in Right of the said mary are Lawfully seized in ffee of the p^{r}misses and haue full power & Right to grant and Convey the same to the said Richard Moy his heyres and Assignes for ever and that the said Manno^{r} Lands & p^{r}misses at & before y^{e} sealeing & Deliu^{r}y of these p^{r}sents and at all tymes hereafter shall be & Remayne free & Cleare and freely & Clearly Acquitted Exonerated and discharged of and from all & all maner of other and former Guiftes Graunts bargaines sales Joyntures Dowers Judgments Recognizances Extents Mortguages Rents Arrearages of Rents Troubles and Incumbrances whatsoeu^{r} had made done or suffered by them or either of them to any other pson or psons whatsoeu^{r} But that the said Richard Moy his heyres and Assignes shall & may from henceforth freely & quiettly haue hold posesse Occupy & Enjoy the said Bargained & sold premisses against all & all maner of persons whatsoeu^{r}, and that they & either of them & their heyres Exe^{rs} & Adm^{rs} the said manne^{r} Lands and p^{r}misses and eu^{r}y p̄t thereof against all psons whatsoeu^{r} will for eu^{r} warrant & defend, And the said John and Mary doe lastly further Couenant & Agree for themselues their heyres Ex^{rs} & Adm^{rs}, To & with the said Richard Moy his heyres Ex^{rs} & Adm^{rs} & assignes, That they the said John & mary shall & will & at all tymes hereafter for & dureing the space of Three yeares make Acknowledge Execute and suffer such other Lawfull Act or Acts deed or deeds for the better assureing the p^{r}misses to him the said Richard his heyres & assignes as by the said Richard his heyres and assignes shall be Resonably devised or by his Counsell required In Testimony whereof the said John ffitzherbert & mary his wife haue hereunto set their hands and seales the day & yeare abouesayd

Sealed and Deliu^{r}ed in John ffitzherbert sealed
the p^{r}sence of Ro: Carvile, Mary ffitzherbert sealed
Rowland Thornbrough
Tho: Wynne Endorsed as ffolloweth

Memorand̄ that the foure & Twentieth day of may in the one & p. 63 fortieth yeare of the Dominion of Caecilius absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c Annoqȝ Dm̄ 1673. Came before us Philip Calvert Esqȝ. Chancell^{r} of the said Province & William Calvert Esqȝ. Two of the Councell of the Rt hon^{ble} the Lord Prop^{try}. John ffitzherbert & mary his wife pties to the within written Indenture in their Prop psons and Acknowledged the within written Deed to be their Prop Acts and Deeds. And the said mary being by us Alone & secretly Examined according to the forme of A Certeyne Act of Assembly in that case made & Provided Did Acknowledge the Manno^{r} & Lands in the said within written Indenture mencoñed to be the Right of him the said Richard Moy within named, as those which the said Richard hath

Liber M M of the Guift of the said John ffitzherebert & mary his wife, And the said John & mary for them & their heyres and the heyres of the said mary haue Remised and made quite Clayme thereof to the said Richard moy and his heyres for ever, And further they the said John & mary haue graunted for them & their heyres and the heyres of the said mary that the said mannor & Lands unto him the said Richard & his heyres against the said John & mary & their heyres and the heyres of the said mary and every of the heyres of the said Gyles Brent & margaret Brent within named they will warrant for ever, And for this Acknowledgmt. Remise quite Clayme & agreement the said Richard moy hath giuen to them the said John ffitzherbert & mary his wife One hundred Thowsand pounds of Tobaccoe,

18 sides Phillip Calvert
William Calvert

This Indenture made the ffifth day of June in the One & ffortieth yeare of the Dominion of Caecilius absolute Lord & Proprietary of the Provinces of maryland & Avalon Lord Baron of Baltemore &c Annoꝗ Dom̄ 1673. Between Richard moy of the Citty of st marys in the Province of maryland Inhoulder of the one pte. And John ffitzherbert of west st maryes in st maryes County in the said Province gentl̄. and Mary his wife of the other pty wittneseth That whereas the said Richard Moy did at the speciall instance & request of Edward ffitzherbert of west st maryes Esꝗ Togeather with the said Edward & John ffitzherbert ptie to these presents as surety for the said Edward Enter into One Bond or Obligation to Caleb Baker. Garret Vanswearingen & walter waterling bearing date the One & p. 64 Twentieth day of march One Thowsand six hundred seaventy One, in the Penallty of One hundred Thowsand pounds of Tobaccoe with Condition thereunderwritten That if the said Edward ffitzherbert his heyres Exrs Admrs or assignes should well & truely saue harmelesse and keepe Indemnifyed the said Caleb Garret & walter their & eury of their heyres Exrs & Adminrs from one bond of One hundred Thowsand pounds of Tobaccoe passed by the said Edward Caleb Garret & walter to the Right honrble the Lord Proprietary amoñgst other things for the said Edward & Calebs Due Administracōn of the Estate of William Hattost Deceased, and from all suits Troubles mollestations Costs or Damages that should come to the said Caleb by his being one of the Executors of the last will & Testmt of the said william Hattost the said bond to be Voyd, as by the same bond may more at Large Appeare, And whereas also the said John ffitzherbert & mary his wife by their Indenture bearing date the foure & Twentieth day of may last past made betweene them of the one pty. And the said Richard Moy of the other pty for the Consideracōns therein named Did Graunt Allien bargaine & sell unto the said Richard Moy his heyres and assignes for eur, All that the mannor of Kent, fforte, Lyeing in Kent County in the said Province of maryland with all houses Leases Lands Tenemts & hereditants to the same belonging & in the same Indenture of Bargaine & sale mencõed with their Appurten^es^, Without any Condition Lymitacõn or Provisoe therein Conteyned but in absolute fee simple To him the said Richard Moy his heyres and assignes, Now This Indenture further wittnesseth That if the said John ffitzherbert & mary his Wife or the sayd Edward ffitzherbert or any of them their or any of their heyres Ex^rs^ Adm^rs^ or assignes or any of them shall & doe well & truely from tyme to tyme and at all tymes hereafter save and keepe harmless and sufficiently Acquitt and discharge the said Richard Moy his heyres Ex^rs^ Adm^rs^ and eu^r^y of them and all his & their goods & Chattells Lands and Tenem^ts^ & eu^r^ pt and pcell of them of & from & against all persons whatsoeu^r^ of & for Entring into the said Bond by them the said Edward ffitzherbert John ffitzherbert, & Richard moy to them the said Caleb Baker, Garret Vansweringen & walter Waterling. & of & for all Accõns suites Costs Troubles demands Or Damages whatsoeu^r^ by Reason of the p^r^misses or any part thereof, That then & from thenceforth the sayd Recited Indenture of Bargaine & sale made of the said Manno^r^ & p^r^misses shalbe Utterly Voyd and of none Effect, And the said John ffitzherbert and mary his wife shall haue agayne and Reposesse the same as in their fformer Right Any thing hereafter to be done by the said Richard moy or any Claymeing by from or under him to the Contrary thereof in any wise notwithstanding, In Testimony wherof the said Richard Moy hath hereunto sett his hand & seale the day and yeare first aboue written

Liber M M

p. 65

Sealed & Deliu^r^ed in the Rich: Moy—sealed
p^r^sence of G Vansweringen
John Baker
Ro: Carvile

This bill bindeth me Thomas Ball of the County of Som^r^set in the Province of maryland planter me my heyres Executo^rs^ Administrato^rs^ or assignes to pay or cause to be paid unto m^r^ Richard Covill of London marrinor to his Ex^rs^ Admin^rs^ or assignes the full & iust Quantity of Three Thowsand Two hundred pounds of good sound bright & large Arronoca Tobacco. cleare of all ground leaves & Trash Tobacco. with Casque to Conteine the same, to be paid at some Convenient place in wiccacomika Riu^r^ upon the Tenth of October next ensueing the date hereof wittnesse my hand & seale the Twenty first of Aprill in the yeare of our Lord god. 1673.

Testes ℔ mee Isack Edmonds Tho. Ball sealed
David Browne
John webb

Liber M M This bill bindeth me George Grabourne of Hull in the County of yorke marrino^{r} & my heyres Executo^{rs} Admin^{rs} & assignes to pay unto m^{r} Richard Covill marrino^{r} of London. or to his heyres Execut^{rs} Admin^{rs} or assignes the full sum̃e of ffifteene hundred w^{t}. of good & large sound Tobaccoe here in maryland or the full sum̃e of six pounds ten shillings sterling in England upon demand. Witnesse my hand and seale this Twenty first of Aprill in the yeare of our Lord god 1673.

Testes p me Isack Edmonds George Graburne. sealed
Randall Revell
Robert Ransom

p. 66 Whereas Randall Revell did Acknowledge before us to haue Receiued ffiue Serv^{ts} from Richard Covill here in maryland & himselfe which were passengers in the ship of Salisbury of London for the passage of which six psons the said Richard Covill did demand 1500^{l} of Tobacco a head by agreem^{t}. which Amounts to nyne Thowsand pounds of Tobaccoe and whereas it appeared by other bills giuen by other passengers of the said ship to which the said Revell was a wittnesse that other psons did pay after the same Rate for their passages to the said Covill, Wee doe therefore awarde the said Randall Revell to pay or passe bill upon Demand for the said sum̃e of nyne Thowsand pounds of Tobacco to the said Covill. & the said Covill to giue the said Revell a Receipt for the passages of himselfe & the said fiue servants, In witnesse whereof we haue hereunto set our hands this Tenth of June. 1673

Witnes Robert Ridgely Philip Calvert
Wiłł Calvert

Whereas Edward Hazard did Acknowledge to haue receiued before us. from Cap^{t} Richard Covill foure passages in the Ship Salisbury of London and that he shipped One servant that dyed at sea, for the which the said Covill Demanded 1500^{l} of Tobacco a head. which amounts to in the whole seaven Thowsand fiue hundred pounds of Tobacco. and we being sattisffied that other psons Gaue the same Rates to the said Covill for passages Wee doe therefore Award the said Edward Hazard to pay or passe bill upon Demaund to the said Covill for the said sum̃e of seaven Thowsand fiue hundred pounds of Tobacco. and that the said Covill giue him a Receipt for the same, In witnes whereof we haue hereunto set our hands the Tenth of June 1673

Witnes—Robert Ridgely Philip Calvert
Wiłł Calvert

Portus Plimouth—

Know yee That Abraham Searle & Comp^{n} hath Loaden in this Port on Board y^{e} Hope of Pimouth 120. Tons or there abouts Jn^{o}

Griffith m^{r} for Virginia, ffoure h̄h̄d̄s Brandy. One Bayle of Dowlas qt. foure peeces & halfe, One Chest of Soape qt. Two hundred & halfe Two wey of french salt, Three hhds & three Chests qt. as foll vizt, Three hundred Ells of Canvas. a q^{r} a hundred of pewter Seaven peeces of Tanestokes, three peeces Course single bayes, Ten doz of shooes, fiue Dozen of wollen hose Three dozn of worsted hose, six peeces of serges qt fifty pound, foure Sadles, fourteene pound of silke manufactures One hundred w^{t}. of Haberdashers ware. six hundred w^{t}. of Nayles, Three hundred w^{t}: of Iron mongers ware, One peece & halfe of blue Linneng, Thirty Grosse of Pipes, Wittnesse our hands & seales of Office this 6th of December. 1672. Liber M M p. 67

Nic. Brangwins. Geo. Strelley. Timothy Hamlyn,
ss p Custome— Coll̄— p Compt.
Francis Cocke p searcher

By This Publique Instrument of renunciation Be it Knowne and manifest unto all people that on the seaventh day of July in the yeare of our Lord God One Thowsand six hundred seaventy & three, and in the xxxxiith yeare of the Dominion of the Right Hon^{ble} Caecilius absolute Lord & Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c Before me Robert Ridgely Sole Notary and Tabellion Publique to and for the said Lord Proprietary Admitted & sworne. Personally Appeared James Connoway of Stepny Ab̄s Stebbon heath in the County of Middlesex and Kingdome of England m^{r}chant unto me the said Notary well Knowne, And made Renunciation, and by this present Instrument did & doth Renounce A Certeine Letter of Attorny made by Benjamyn Cowell of London m^{r}chant to him the said James Connoway, The Tenno^{r} whereof followeth in these words (vizt)—Know all men by these p^{r}sents that I Benjamyn Cowell of London m^{r}chant haue Assigned made Ordeyned deputed Authorized Constituted & Appointed, and by these presents Doe Assigne make Ordeyne Depute Authorize Constitute & Appoint, James Connoway of Ratcliffe in the Parish of Stepny ab̄s Stebbon heath in the County of Midlesex m^{r}chant, my True & Lawfull Attorny for me and in my name and to my use to Aske demand Leavy sue for Recover & Receive all & singuler such Goods, m^{r}chandizes Adventures Effects Debts dutyes sume & sum̄es of money whatsoever which is or shall be or may appeare to be in any wise howsoeuer due oweing payable or belonging to me the said Benjamyn Cowell by or from any pson or psons whatsoeu^{r} Residing in Maryland in the parts beyond the seas or in any part thereof, Giveing and by these p^{r}sents Graunting unto my said Attorny full power & Authority for Touching and Concerneing the Recou^{r}y of the premisses afforesaid, To use Comence psecute and pursue all & Ev^{r}y such Lawfull Accōns suites wayes meanes Courses and pceedings whatsoeu^{r}, Agreeable to the Lawes Orders & Constitutions of

Liber M M p. 68 Maryland afforesaid, as shalbe needfull and Requisit And Touching the p^r^mises to Adjust make even and perfect such Accompts Compositions & Agreem^ts^, and giue make & Execute such Acquittances Releases & discharges as shalbe needful and Requisit to be done, And further to doe Act Execute and pforme all & whatsoeu^r^ other Acts and things as shalbe needfull and Requisit as fully and Effectually to all Intents and purposes as if I my selfe were there at present and did the same psonally. And whatsoeu^r^ my said Attorney shall Lawfully doe or procure to be done in or Touching the p^r^misses to the use afforesd I doe & will Ratefye Confirme & Allow of the same by these presents. In witnesse whereof I the said Benjamyn Cowell haue hereunto set my hand & seale this Twentieth day of Novemb^r^ Annoq̧ Domini One Thowsand six hundred seaventy two, Annoque Regni Regis Caroli secundi Annoq̧ &c. Vicessimo Quarto. Benj^n^ Cowell sealed: Sealed and Delivered in the p^r^sence of us Robert Connoway, W^m^ Hall serv^t^. to Henry Lewis sẽr, And whereas John Morecrof of the Citty of s^t^ maryes Agent and procurato^r^ & Attorney for the said Benjamyn Cowell Lawfully Constituted and Authorized hath and doth Require the said James Conoway to make due proofe of the sealing and Delivery of the said Recited Letter of Attorney so to him the said James by the said Benjamyn made as afforesaid by the Oathes & Testimony of the wittnesses or some of them whose names are subscribed to the same as witnesses to the sealing and Deliuery thereof, before he will Allow & approve the same to be good and Authentique, which I the said James Connoway cannot in any wise doe by Reason that the psons that subscribed their names as witnesses thereunto are not within this Province of Maryland, but Live in Remote pts. And Cannot by any meanes be pduced here to make proofe thereof, Now Know yee that I the said James Connoway Doe Renounce, and haue hereby Renounced all & all manner of the power & Authority so to me by this L̄re of Attorney given or by any wayes or meanes whatsoeu^r^ To doe Act or Attempt to doe or Act any thing whatsoeu^r^ for or by virtue thereof, In Testimony whereof I the said James Connoway haue hereunto set my hand & seale the day & yeare abouewritten, This was thus done & passed in the p^r^sence of the said Notary as also of John Bodden. & Robert Price witnesses, James Connaway seale

John Bodden,
Robert Price

In Testimonium Veritatis Manu mea solita signavi ac sigillo Coroboravi Robert Ridgely Not^rius^ Publ̄^cus^

p. 69 Know all men by these p^r^sents that I John Quigley of y^e^ Citty of St Maryes and Province of Maryland Marchant doe hereby Empower my welbeloved frend William Calvert Esq̧ to make Sale of my Two howses in St Maryes one Called by the name of Towerhill and the other now in y^e^ possession of M^r^ Robert Ridgely with all

Liber M M

the Land that belonges to the said howses, and what my said Attorney shall doe, In the sale of the aforesayd howses I doe Ratefy and confirme as if I my selfe were psonally p^{r}sent as witnes my hand and Seale this 13th day of 1673.

Signed Sealed and Delivered John Quigley. (Sealed)
in y^{e} p^{r}sents of us
Matt: Stone.
The marke of
Hugh + Manning.

A True apraisement of the goods and Chattles of Richard Wicker Late of S^{t} maryes County by us whose Names are vnder written sworne Apraisers: Apraised the Sixteenth day of September. Anno Dom̃, One Thowsand Six hundred Seaventy and three Which Said goods and Chattles was attached by virtue of a writt of Attachment obtained against the Said Richard Wicker by John Gouldsmith of the County afforsd at A Cort held at the City of S^{t} Maryes the second Twesday of Octobe^{r} Anño Dom̃, One thousand Six hundred Seaventy and two und Retorned at A Court holden at the Citty of S^{t} maryes afforesaid the second Tuesday of Decem^{br} Next ensueing

	Tobacco ℔
Imp^{rs} Three Cowes and Calves apraised at	"1640"
One yonge Heifer apraised at	"0250"
Two gunns apraised at	"0300"
Two smale chests without Lockes apraised at	"0080"
One old hammock apraised at	"0040"
One peice of A Deares Skinne......at	"0015"
One Barrow shoat apraised at	"0050"
One old shot bagge apraised at	"0005"
ffees posted the 10th October 1673	2390

John Grace
John Rosewell

An accompt of Bills belonging to Cap^{t} Edw Maynard Comand^{r} of the shipp William of Dover left in the Custody of m^{r} Thomas Marsh

Cap^{t} Stocketts bill	"01161
John Larkins bill	"05613
M^{r} Barles Bills	"00400
m^{r} Robert Procter bill	"01411
Thomas Gibbins accompt and bill	"00477
James Riggby bill for	"04036
Thomas Knighte on 13 bills	"02364

Liber M M p. 70

	Tobacco ℔
Cap^{t} Stocketts Receipt for thre bille hee had of mee for my appeareance at S^{t} maryes	
for m^{r} Nathaniell Stiles his bill for	“03239
Augusteene Harmons bill	“ 1662
Doct^{r} Jordenes bill	“ 2625
John Howards bill	“ 0990
Robert Davidge bill for .... 420$^{℔}$	“ 0420
Thomas Turners bill	“ 2064
George Collings bill for	“ 1040
Thomas Richardson bill	“ 0390
Robert Procters bill more for	“ 1902
John Beamans owne bill for	“ 1430
John Beaman and Mathew harding bill	“ 733
John Beaman and Mathew harding more	“ 1800
Richard Mosse p bill and accompt	“ 0483
John wooldrige bill for	“ 0039
ffrancis Smith p A pcell left of his bill for	“ 0040
William Nolles p bill and accompt: (bill 646 | 902 256 | accop^{t}	“ 0902
John Gilberts bill and accompt	“ 4200
william Prise his bill	“ 2011
To Three accompts of Miles Gibbons	
To one receipt of m^{r} Jordeenes from m^{rs} Sarah williams	“ 0250

Underneath the aboue written accompt was thus written

I Thomas Marsh of Ann Arundell County in Maryland doe Acknowledge that I haue Received these abouesaid bill and Accompts and doe ingaage my sealfe my heyres &c to be accompttable for the said bills or the Tobacco due upon them when thereunto Called misscausualties onely Excepted witness my hand the 17th of May 1671 Ᵽ .... Thomas Marsh

Errors also are Excepted

Testis

Robert Burle

George Clark

also one the said paper was thus written as followeth

I Thomas Marsh doe acknowledge to haue receiued of Cap^{t} Edward Maynard A Certaine accompt drawne by way of Credito^{r} and Debit^{r} Relating to sea^{r}uall men in Ann Arundell County Some of the saiyd debts being included in that accompt of bills Comitted to mee to re[ceive] w^{ch} said Accompt is left wth mee as A direction in his businesse by w^{ch} Accompt Cap^{t} Maynard Reckons due to him Twenty nine thowsand three hundred thirty Nine pounds of Tobacco. Errors p. 71 Excepted which said Accompt I doe ingage my sealfe my heyres &c to deliuer and give accompt thereof when therunto Called misscausualties onely Excepted also I haue Receiued an accompt of Debts due in Baltemore County the bills whereof are in Michaell Gibbsons hand which bills and accompts Amounts to Thirty Two Thowsand six hundred & thirteene pounds of Tobacco w^ch^ he is ordered to deliuer unto me w^ch^ sd writings I am to deliuer: to the said Cap^t^ Maynard or his order or to S^r^ william Dauisson his Employer or to his order as witnes my hand the 17th of May 1671: Liber M M

Testis Thomas Marsh sealed
Robert Burle
George Clarke

Know all men whom these may concerne that I hugh Onell of Charles County doe appointe my welbeloved Brother ffrancis Doughty my lawfull Attorney to act in my business that is now Depending this next Provincial Court at St Maryes as he shall see good and what my Attorney shall act in y^e^ p^r^mises I shall ratefy and confirme In confirmation of the said premises I set to my hand & seale Anno 1673 Octob 18th.

Witnes Hugh Onell (sealed)
The marke of
Garret O Hamon
John Harris.

On the backside of y^e^ foregoing pap was thus writ.

I ffrancis Doughty Attorney of Hugh Onell within named doeth put & place in his stead Robt Carvile one of the Attorneys of the Provincial Court to appeare for the sd Hugh Onell at the suite of John Morecroft & to take coppy of the Decleracon & put in such plea as the said Robert shall thinke fit witness my hand this first of November 1673.

Testis Edw: Williams ffrancis Doughty.

This Indenture made the 28th day of May. 1667. Betweene Thomas Stone and mary his wife of Poynton in Charles County in the Province of Maryland gentl. of the one pty. and John Stone of the County & Province afforesd gentl. of the other pt witnesseth That the said Thomas Stone & mary his wife aswell for & in Consideration of Twenty Thowsand pounds of Tobacco payd to him in hand. as also for Diverse other good causes and Considerations him thereunto moveing. hath Demised graunted bargained and Sould and to farme Letten. and by these p^r^sents doth demise Graunt and to farme lett unto the said John Stone All that Plantation Comonly called & Knowne or Reputed to be Knowne By the name of Nangemie p. 72
And being within the manner of Poynton in Charles County in the Province afforesaid. and late in the Occupation of Richard Stone. according as the said Plantation is bounded & butted by and

Liber M M with the Ancient bounds thereof that is to say Begining at a marked Pockicory standing at the Newlanding at the side of Avon Riu^{r}. bounding on the East, by A lyne drawne North North East from the said Pockicory for the length of Two hundred & fifty perches to a bounded oake, on the North with a lyne drawne west from the said oake for the length of foure hundred pches to a bounded Oake, on the west with a lyne drawne South from the end of the form^{r} lyne to a bounded oake standing upon a Point of wood by a marsh Side belonging to Avon Riu^{r}, on the South with a lyne Drawne east from the said oake along Avon River to the first bounded Pockicory, Conteyneing and now layd out for fiue hundred Acres more or lesse, Togeather with all Ediffices & buildings & Singuler the proffits Comodities belonging or in any wise Appertayneing. or with the same at any tyme Heretofore demised used or occupied or reputed taken occupied or Knowne as any part or parcell or member of the said plantation. and all & Singuler the Reversion & Reversions Remaynd^{r} & Remaynd^{rs} and also all the Estate Right title or interest use posession Claime & demand whatsoeu^{r}. which he the said Thomas Stone & mary his wife now hath may might should or in any wise ought to haue of in & to all & singuler the sd Bargained p^{r}misses or any pt therof, Togeather with all & Singuler Evidences deedes Escripts Charters wryteings Court Roles Bookes of Survey and whatsoeu^{r} as Concerneing the same as be now in the hands & Custodie & posession of the said Thomas Stone or in the handes Custodie & posession of any other pson or psons whatsoeu^{r} to his use by his deliu^{r}y or which he may Lawfully get or come by without suit in Law. And the said Thomas Stone doth Covenant grant & pmise for himselfe his heyres Executo^{rs} & Admin^{rs} for eu^{r}y of them, to and with the said John Stone his heyres & assignes upon Reasonable Request to deliu^{r} or cause to be deliu^{r}ed unto the said John Stone or his heyres or assignes at or before the Tenth day of Decemb^{r} next ensueing the date of these p^{r}sents. True Coppies of all such Euidences and wrytings as Concerne the said plantac̄on or Land to be written at the cost and charge of the aforesayd John Stone. To Have And To Hold. all & singuler the said plantation Land Tenement and all other the afforesaid premisses. with all & singuler their Appurtenc̄es.
p. 73 Before in & by these p^{r}sents, bargained & Sold and eu^{r}y part & pcell therof unto the sayd John Stone his heyres and Assignes for ever, And the Sayd Thomas Stone and mary his wife for themselues their heyres Execut^{rs} & Admin^{rs} Doe Covenant & graunt to and with the sd John his heyres and assignes by these presents in manor & forme following that is to say. The said John Stone at the tyme of the ensealing & Deliu^{r}y of these presents is and standeth Lawfully & Sufficiently Seized of such a good perfit Lawfull & absolute and Indefeazable estate of Inheritance in ffee simple to his

& their owne use & uses. without any maner of Condition or Limitation or any other use or uses to alter Change or Determine the same estate of and in the said Plantation Land Tenement & Hereditam^t. and all other the said p^rmises before and by these presents mentioned or intended to be graunted Allienated bargained and Sold. as he the said Thomas Stone & mary his wife can or may Lawfully & sufficiently graunt Convey & assure all and Singuler the said plantation of Nangemie Land Tenem^t & Hereditam^t and all other the afforesaid p^rmisses with all and Singuler the Appurtenc̃es unto the said John Stone his heyres & assignes for eu^r. According to the true intent & meaneing of these p^rsents. And further doth Covenant to and with the said John Stone his heyres and assignes & to and with eu^ry of them by these p^rsents, That, he the said Thomas & mary his wife and their heyres and all & eu^ry other pson or psons Haueing or Claymeing or which shall or may haue or Clayme or pretend to haue any maner of estate Right title or interest, into or out of the afore bargained premisses or any part or pcell thereof by from or under the said Thomas or mary Stone shall and will from tyme to tyme and at all tymes hereafter dureing the tyme & Space of Seaven yeares next ensueing the date of these p^rsents that upon eu^r y Reasonable and at the Cost and Charge in the Law of the said John Stone his heyres or assignes doe make Acknowledge Execute and suffer or cause to be made or Acknowledged executed and Suffered all and eu^ry such further Act or Acts. Thing & things assureances and Conveyances in the Law whatsou^r for the further more better & perfect assureance Surety and sure makeing of the said plantation and all other the p^rmisses with the Appurtenc̃es abouesd by these p^rsents mencõned to be bargained & Sold unto the said John Stone his heyres and assignes for eu^r. be it by fine or fines with proclamation Recou^ry or Recou^ryes with double or single voucher or vouchers Deed or deeds Inrolled or not Inrolled. the Inrolment or Acknowledm^t of these p^rsents Release Confirmation with warranty against the said Tho: Stone and their heyres or without warranty, or by all or any or as many of the wayes meanes and Devices aforesaid or by any other wayes Or meanes whatsoeu^r. As by the said John Stone his heyres or assignes or by his or their Councell Learned in the Law Shall be Reasonably Devised & Advised & Required. and also it is Agreed by & betweene the said parties to these p^rsents that all & eu^ry the said Conveyances and assureances Soe executed of the before bargained p^rmisses and eu^ry or any part or pcell thereof Shall be & Inure and shall be esteemed & adjudged & taken to be & Inure to the only use & behoofe of the said John Stone his heyres and assignes for euer. and to noe other use Intent or purpose whatsoeu^r. Any thing in these p^rsents, Conteyned to the Contrary thereof in any wise notwithstanding. the Rent due to the Lord Proprietary

Liber M M

p. 74

Liber M M and the Priveledges of the manno^{r} only Reserued and foreprized. Wittness our hands & seales the day & yeare abouewritten

Signed Sealed & Deliu^{r}ed Tho: Stone sealed
in the p^{r}sence of us Mary Stone m^{r}ke **M.** sealed
Witt Calvert
Tho. Sprigg.
Mathew Stone.

On the backside of the foregoing Deed was written. Delivery and seizin made in the p^{r}sence of us
Will: Calvert
Tho: Sprigg:
Mathew Stone.

Maryland ss. John Brooke of the County of Dorchester putts in his place Robert Carvile To be his Attorney to Implead Job walton in a plea of Debt and for Soe doing this shalbe his power. Wittnesse my hand this Twenty eighth day of march. 1673. John Brooke

Bee it Knowne unto all men by these p^{r}sents that I Morgan Jones of s^{t} maryes County and Province of Maryland planter Doe hereby Acknowledge and Confesse to haue Given unto John Davis, One Cowe Calfe Colloured Darkish Browne, being marked with A Slitt on the Right Eare and under halud on the left. To him his heyres or assignes. To his and their proper uses and behoofe for ever with her Increase, As wittnes my hand & seale the six & Twentieth day of July. 1699. M: Jones sealed
Witnes William Asbeston: Roger shehee.
Marke Phepo: James Lewis
his m^{r}ke **IL**

p. 75 Be it Knowne unto all men by these p^{r}sents That I Morgan Jones of S^{t} Maryes County & Province of Maryland planter Doe hereby Acknowledge & Confesse to haue freely and Volluntaryly Given unto Elizabeth Davis One black Pyed Heyfer with a white spott on the Rumpe. to her & her heyres & assignes with the Increase thereof, beind marked under halud on both Eares In Witnesse of the trueth hereunto I Sett my hand & seale M Jones. sealed
Witnes—William Albeston. Roger shehee.
Marke Phepo. James Lewis: m^{r}ke **IL**

November the 18th 1673.

Came John Tennison of St Maryes County and Desired the Eare marke of his Cattle might be Entred upon Record w^{h} is as followeth (vizt)

Cropt on the left Eare two slits and under and upper peeces taken off the Right Eare whole

The said Tennison also Desireth his brand marke for his horses Liber M M might be also Recorded w^{ch} is as followeth vizt.

Branded on the neare Buttock with a fire forke with three pronges.

Maryland ss. At a Provincial Co^{rt} of the Right hono^{ble} Cecil Lord Baltamore &c Lord and Proprietary of the said Province held at the City of St Maryes on Tuesday the Eleaventh day of November in the 42th yeare of the Dominion of his said Lo^{pp} over Maryland &c Annoqȝ Domini 1673. and from the said Eleaventh day of November the writ of Adjournm^{t} of the said Lord Proprietary was adjourned untill the Twelveth day of the same November and there continued untill the seaventeenth day of the same November before his Lo^{pps} Justices hereunto assigned on the said Twelveth day was p^{r}sent.

His Excellency Charles Calvert Cap^{t} Generall of Maryland.

The hono^{ble} Philip Calvert Chancelo^{r}
William Calvert
Baker Brooke
Jesse Wharton &
Tho Taylour Esqȝs

Morgan Jones peticions this Co^{rt} to be Cleared of the Estate of John Davis deceased w^{ch} came into his hands by marryeing the p. 76 widdow according to a ord^{r} of this Court Directed to the Com^{rs} of St Maryes County and in w^{ch} the said Com^{rs} have as yet Done nothing Ordered by the Court that the said Com^{rs} be served with the former ord^{r} of this Court in the p^{r}mises, and are hereby Comanded to take notice thereof and if they doe not pforme y^{e} same then to signify to this Co^{rt} the Reasons that they doe not, and also the whole state of y^{e} case that this co^{rt} being fully informed in the business may doe therein as to Justice ap̄teineth.

Vincent Atchinson of Talbot County who married with Hanah sister of Mary wife & Executive of William Smith Deceased Peticions this Co^{rt} that whereas the said William Smith the 9th of August 1666 had surveyed for him One Thowsand Acres of Land called Colchester lyeing in Talbot County on the Northside of Chester River, w^{ch} said Certifficate saith and Running for breadth North Easte up the Creeke fower hundred perches to another marked Oake. and the Patent thereof bearing date the thirteenth of the same August saith in the said lyne for breadth North Easte up the Creeke Two hundred pches to another marked Oake, so that in the said Patent is Two hundred pches instead of foure hundred pches the Court making full Examinacōn into the p^{r}mises Doe finde that it was only the Erro^{r} of the Clerke and therefore doe ord^{r} the said Patent to be vacated upon Record, and that a new one issue according to the Certifficate bearing Date as the former.

Liber M M Upon a Dispute here in Co^{rt} about touching what M^{r} Jackson a brickmaker y^{t} Dyed at the house of M^{r} John Allen in Charles County was indebted at his Death unto M^{r} George Robotham his partner The said Robotham did acknowledge that he had a bill of the said Jacksons for 1500^{l} Tob, but that it was satisfyed, and that their was only Due to him from y^{e} sd Jackson 400^{l} Tob and that was for a hat he sould the said Jackson before his Death.

Jesper Allen
ag^{t}
Richard Lad

Richard Lad and Rozamond his wife late of Calvert County Executrix of the last will and Testam^{t} of Joseph Horsely Deceased was attached to answere unto Jesper Allen of a plea of Trespas upon the case.

And whereupon the said Jesper by Kenelm Chiseldine his Attorney complaind that whereas the said Joseph Horsely stands indebted unto the said Jesper for seu^{r}all peeces of Coopers worke Done & pformed at Diverse dayes & times from the day of in y^{e} yeare of our Lord One Thowsand six hundred sixty untill the
p. 77 day of in y^{e} yeare of our Lord 1669 a pticuler whereof is here in Co^{rt} pduced, amounting in the whole to the sum̄e of One Thowsand five hundred and Seaventy pounds of Tob. In consideracoñ whereof the said Joseph did assume upon himself and to the said Jesper did faithfully pmise that he the said Joseph when thereunto Required the said sum̄e of 1570^{l} Tob to him the said Jesper would well and truly content and pay, Notwithstanding, w^{ch} the sd Joseph though often thereunto Required the said sumē of 1570^{l} Tob in his life time according to his promise hath not payd, Nor the said Rozamond since his death while she was sole Nor the said Richard and Rozamond since Expowsalls hath not payd though often Required but the same to pay altogether Denyes whereupon the said Jesper saith he is Damnifyed and hath losse to the vallue of Two Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said Richard and Rozamond by George Parker their Attorney come and Defend the force and injury when &c and say that the aforesayd Jesper Allen ought not to have his accoñ against them because they say that they have fully administred all the goods and Chattells w^{ch} were of the aforesayd Joseph Horsley at the time of his Death and y^{t} they have no goods or Chattels w^{ch} were of y^{e} afd Joseph at y^{e} time of his death in their hands to be administred, and this they are Ready to averre whereupon they Demand Judgem^{t} if the said Jesper ought thereupon to have his accōn ag^{t} them.

And the aforesayd Jesper Sayes that he by anything before alledged ought not to be Debarred from having his action aforesayd because he saith that the Inventory of y^{e} goods and Chattells w^{ch} were the said Joseph at the time of his Death did amount to y^{e} sum̄e of 34431^{l} Tob and that they the said Richard & Rozamond have not administred and payd above the vallue of Twenty Thowsand pounds of Tobacco and this he prayes may be inquired of by the Country Liber M M

And the said Richard and Rozamond as formerly say that they have fully Administred all the goods and Chattells w^{ch} were of the aforesayd Joseph Horslyes at the time of his death and that they have no goods or chattells w^{ch} were of the said Josephs at the time of his Death in their hands to be administred and so mainteine their plea as they above have alledged and of this they put themselves upon the Country and the aforesayd Jesper in like manner.

Therefore comaund is Given to the Sheriff of St Maryes County that he cause to come before y^{e} Justices of the Provincial Co^{rt}, at the Citty of St Maryes on y^{e} Eleaventh day of November next being the first day of the same Co^{rt} Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both partyes.

At w^{ch} said Eleaventh day of November the Provincial Co^{rt} afd was by the writ of Adjournem^{t} of the sd Lord Proprietary, adjourned untill the next day being the Twelveth day of the same November. p. 78

At w^{ch} said Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673. came aswell the said Jesper Allen by Kenelm Chiseldine his Attorney as the said Richard and Rosamond by George Parker their Attorney and the Juro^{rs} of that Jury likewise came to wit Thomas Alanson Morgan Jones Philip Boggesse Nicholas Carre Curtis ffletcher Thomas Knighton John Balley Brian Dayly Abraham Roades Patrick fforest ffrancis Wyne & William Harper who to say the truth in the p^{r}mises being elected tryed and sworne upon their oathes doe say that they finde for the p^{lt} his Debt wth costs of suite, whereupon it is Considered by the Co^{rt} here that the said Jesper Allen Recover ag^{t} the said Richard Ladd and Rozamond his wife aswell the said sumē of One Thowsand five hundred and Seaventy pounds of Tobacco his Debt aforesd as also the sum̄e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Richard and Rozamond in mercy &c.

12th Novemb̄ 1673.

Came Thomas Mosely of St Maryes County planter and Desired that the Eare marke of his Cattle and hoggs might be Entred upon Record w^{ch} is as followeth vizt.

Swallow fforke of the left Eare the ffigure of Three of the Right Eare.

Lord Proprietary
ag^{t}
Luke Barbo^{r}

Liber M M Richard Hallet
ag^{t}
Nicholas Wyat
The same
ag^{t}
The same
Virlinda Stone
ag^{t}
Edmond Lindsey

These foure Causes for Special Reasons the Co^{rt} thereunto moving are continued untill the next Provincial Co^{rt}.

Tho: Kendall
ag^{t}
George Munrow

George Munrow late of Calvert County otherwise called George Munrow of St Maryes County Minister was sum̄oned to answere unto Thomas Kendall in a plea that he Render unto him foure Thowsand and fifty pounds of Tobacco w^{ch} to him he oweth and unjustly Deteineth &c

And whereupon the said Thomas by Robert Carvile his Attorney p. 79 saith that whereas the said George upon the one and Twentieth day of August in the 40th yeare of the Dominion of Caecilius &c Annoq; Domini 1671 by his certeine writing obligatory w^{ch} y^{e} said Thomas with the seale of the aforesayd George signed here brings into Co^{rt} whose date is the day and yeare abovesaid did acknowledge himself to owe and stand indebted to the said Thomas the said sum̄e of foure Thowsand and fifty pounds of Tobacco and Casque to be payd to the said Thomas at some Convenient place in Talbot County at or upon the Tenth day of October next Ensueing the date of the said writing obligatory yet the said George though often Demanded the said sum̄e of foure Thowsand and fifty pounds of Tobacco hath not Rendered or payd but the same to Render and pay as yet doth Deny and unjustly Deteynes, whereupon the said Thomas saith he is Damnifyed and hath losse to the vallue of five Thowsand pounds of Tobacco, and thereupon he bringeth his suite

And the said George by Kenelm Chiseldine his Attorney comes and Defend^{s} the force and injury when &c and saith that the said Thomas his accoñ aforesayd ought not to have because he saith that he the said George the bill aforesayd to the said Thomas did make and seale through the hardnes of Imprisonm^{t}, and this he is Ready to verrify whereupon he prayeth Judgem^{t} whether the said Thomas ought to have his accoñ aforesayd against him.

And the aforesayd Thomas saith that he by any thing before alledged ought not to be Debarred from having his accoñ aforesayd because he saith that the aforesayd George at the time of the making of the said bill was of his owne Right at large and the same bill of his owne meere and volluntary will to the same Thomas did make and seale and not through the hardnes of Imprisonm^{t} as the aforesayd George hath above alledged and this he prayes may be Enquired of by the Country and the said George likewise Therefore Comaund is given to the Sheriff of St Maryes County that he cause to Come before the Justices of the Provincial Co^rt at the Citty of S^t Maryes on the Eleaventh day of November next being the first day of the same Co^rt Twelve by whom &c who neither &c because aswell &c to Recognize and the same day is given to both ptyes. Liber M M

At w^ch Eleaventh day of November the Provincial Co^rt aforesayd was by the writ of Adjournm^t of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

At w^ch said Twelveth day of November in the 42^th yeare of the Dominion of Caecilius &c Annoq Domini 1673. came aswell the said Thomas Kendall by Robert Carvile his Attorney as the said George Munrow by Kenelm Chiseldine his Attorney and the Juro^rs of that Jury likewise Came to wit George Macall Demetrius Cartwright George Charlesworth John Cooper Leonard Greene George Dundas Thomas Bennet James Nuthall Vincent Atchinson John Grace Jeremiah Eaton and Joseph Brough. who to say the truth in the p^rmises being Elected tryed and sworne upon their oathes doe say that they finde for the p^lt his debt with costs of suite whereupon it is considered by the Court here that the said Thomas Kendall Recover ag^t said George Munrow aswell the said sum̄e of foure Thowsand and fifty pounds of Tobacco his debt aforesayd as also the Sum̄e of five hundred ninty nine pounds of Tobacco for his costs and Charges in this behalfe Expended and the said George Munrow in mercy &c. p. 80

Then was Thomas How of Calvert County Edward Wincles and George Cowley of Talbot County Jury men Retorned betweene the aforesayd Thomas Kendall & George Munrow for not appearance upon call fined by the Co^rt the sum̄e of five hundred pounds of Tobacco a peice. 1500^lb Tob fine

Thomas Oliver
ag^t
George Munrow

George Munrow late of Calvert County otherwise called George Munrow Minister of Talbot County in the said Province of Maryland was Sumōned to answere unto Thomas Oliver that he Rend^r unto him three thowsand pounds of Tob. w^ch to him he oweth & unjustly Deteineth.

And whereupon the said Thomas by Robert Carvile his Attorney saith that whereas the said George upon the 25^th day of July in the yeare of our Lord 1671 by his certeine writing obligatory w^ch the said Thomas with the seale of him the said George signed here in Co^rt pduceth whose date is the day & yeare aforesayd did oblidge himself his heyres Executo^rs and Administrato^rs to pay or cause to be payed to the said Thomas Oliver the said sum̄e of Three Thow-

Liber M M sand pounds of Tobacco and Casque at some Convenient place in Michaels River at or upon the Tenth day of October next Ensueing the date of the said writing yet notwithstanding the said George the said sum̄e of Three thowsand pounds of Tobacco though often Demaunded to him the said Thomas hath not Rendred or payd but the same as yet to Render & pay doth Deny and unjustly Deteyne whereupon the said Thomas saith he is Damnifyed and hath losse to the vallue of foure Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the aforesayd George by Kenelm Chiseldine his Attorney doth come and Defend the force and injury when &c and saith that the aforesayd Thomas his accon̄ aforesayd ought not to have because he saith that he the said George the aforesayd sum̄e of Three Thowsand pounds of Tobacco hath payd according to the Teno^r^ of the said bill & of this he puts himself upon the Country.

And the said Thomas saith that he by any thing before alledged ought not to be Debarred from having his accon̄ aforesayd because he saith y^t^ y^e^ aforesayd George the said sum̄e of 3000^l^ Tob hath not payd according to the Teno^r^ of y^e^ said bill as by the said George is above alledged, and this he prayes may be Enquired of by the Country and the aforesayd George in like manner.

Therefore comaund is given to the Sheriff of St Maryes County that he Cause to come before the Justices of the Provincial Co^rt^ at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Co^rt^ twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both partyes.

At w^ch^ said Eleaventh day of November the Provincial Co^rt^ aforesayd was by writ of Adjournm^t^ of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

p. 81 At w^ch^ said Twelveth day of November in the 42^th^ yeare of the Dominion of Caecilius &c Annoq͙ Domini 1673. came as well the said Thomas Oliver by Robert Carvile his Attorney as the said George Munrow by Kenelm Chiseldine his Attorney and the Juro^rs^ of that Jury likewise came to wit George Macall Demetrius Cartwright George Charlesworth John Cooper Leonard Greene George Dundas Thomas Bennet James Nuthall Vincent Atchinson John Grace Jeremiah Eaton and Joseph Brough who to say the truth in the p^r^mises being elected & swore upon their oathes doe say that they finde for the p^lt^ his debt with costs of suite, whereupon it is Considered by the Co^rt^ here that the said Thomas Oliver Recover ag^t^ the said George Munrow aswell the said sum̄e of Three Thowsand pounds of Tobacco his Debt afd as also the sum̄e of five hundred ninty nine pounds of Tobacco for his costs and Charges in this behalfe Expended and the said George Munrow in mercy &c

Thomas Simson
ag^{t}
Richard Edelen & Justinian Tennison

Richard Edelen late of St Maryes County gentl and Justinian Tennison late of St Maryes County planter were attached to answere unto Thomas Simson of a plea of Trespas upon the case in nature of Deceipt. Liber M M

And whereupon the said Thomas by John Morecroft his Attorney Complaineth that whereas he the said Thomas sould unto the said Justinian a pcell of land by Deed supposed to be three hundred and fifty acres with pticuler warranty against him and his heires and the said Land was found to fall short thereof by the Survey of one Richard Edelen Deputy Surveyo^{r} for St Maryes and Charles County and the said Thomas having a Patent of fifty acres of land more adjoyning thereunto was willing to Cast that in to supply the want, w^{ch} the sd Edelen then affirmed would not make up the Complement of Three hundred and fifty acres by seaventy acres was willing to make satisfaction in Tobacco for the said seaventy acres w^{ch} the said Tennison and the said Thomas referring it to y^{e} said Richard Edelen he appointed the said Thomas to pay to the said Tennison Two Thowsand Two hundred & fifty pounds of Tobacco for which the said Thomas he passed bill to the said Tennison and is now payd and the said Thomas saith that the said Richard and Justinian Devising and fraudulently intending him the said Thomas to Deceive the said Richard the sixth day of ffebruary in the yeare 1670 making a Resurvey and the said Justinian Tennison having Seated a pcell of land Adjoyning to y^{e} same land without any warrant Surveyor Patent made Resurvey of foure hundred acres of land, and makes the said pcell of land pt of the said foure hundred acres and Drawes the said Thomas to Enter into bond of forty Thowsand pounds of Tobacco to make Conveyance of y^{e} same to the said Tenison in Deceipt of the said Thomas and to the greate Damage of the said Thomas whereupon he saith he is Damnifyed and hath losse to the vallue of Twenty Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said Richard and Justinian by Robert Carvile their Attorney cometh & Defendeth the force and injury when &c and say they are in nowise guilty of the p^{r}mises above against them by the said Thomas Complained of, and of this they put themselves upon the Country and the said Thomas likewise.

Therefore Comaund is given to the Sheriff of St Maryes County p. 82
that he cause to come before the Justices of the Provincial Co^{rt} at the City of St Maryes on the Eleaventh day of November next being the first day of the same Co^{rt}. Twelve &c by whome &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes.

At w^{ch} said Eleaventh day of November the Provincial Co^{rt} aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary ad-

Liber M M journed untill the next day being the Twelveth day of the same November.

p. 82 At w^ch^ said Twelveth day of November in the 42^th^ yeare of the Dominion of Caecilius &c Annoq Domini 1673. came aswell the said Thomas Simson by John Morecroft his Attorney as the said Richard & Justinian by Robert Carvile their Attorney and the Juro^rs^ of that Jury likewise came to wit Thomas Alanson Morgan Jones Philip Boggas Nicholas Carre Curtis ffletcher Thomas Knighton John Balley Brian Dayly Abraham Roades Patrick fforrest ffrancis Wyne and William Harper who to say the truth in the p^r^mises being Elected tryed & sworne, and the Cause being fully argued by the Attorneys of both sides the p^lt^ suffered a nonsuite and the Co^rt^ Did ord^r^ by consent of both ptyes that One hundred Eighty five pounds of Tobacco being payd by Simson to Tennison the said Tennison to Deliver unto the said Simson his bill up for Two Thowsand Two hundred and fifty pounds of Tobacco and it is further considered of by the Co^rt^ that the said Richard and Justinian Recover against the said Thomas Simson the sum̄e of pounds of Tobacco for their costs and Charges in this behalfe most wrongfully & vexatiously susteined and the said Thomas in mercy for his false complaint &c. And the Co^rt^ Doe further ord^r^ that the Jury be allowed 720^l^ Tob for their trouble & charge in Attending y^e^ Co^rt^ for y^e^ tryall of this cause, and to be pd by y^e^ sd Richard & Justinian & to be allowed y^m^ in their costs.

Walter Sencarfe agt Josias ffendall } Josias ffendall late of Charles County was attached to answere unto Walter Sencarfe in a plea of Trespas upon the case.

And whereupon the said Walter by Vincent Low his Attorney complaineth that whereas the said Josias ffendall the 12^th^ day of May in the yeare 1655 stood indebted unto the said Walter Sencarfe in the sum̄e of One Thowsand pounds of Tobacco, In Consideracoñ whereof the said Josias ffendall did assume upon himself and to the said Walter did faithfully pmise that he the said Josias when hereunto Required the said One Thowsand pounds of Tobacco to him the said Walter upon the Tenth day of October in the same yeare would well & truly content & pay Notw^th^standing w^ch^ the said Josias the sd Sum̄e of One Thowsand pounds of Tobacco according to his p̄mise hath not payd tho often Required but the same to pay altogether Denyes whereupon the said Walter saith he is Damnifyed two thowsand pounds of Tobacco and thereupon he bring[eth] suite. And the said Josias ffendall by Robert Carvile his Attorney cometh and Defendeth the force and injury when &c and saith he did not pmise & assume u[pon] himself in manner & forme as the

p. 83 said Walter above hath upon him De[clared] and of this he puts himself upon the Country and the said Walter likewise

Liber M M

Therefore Comaund is given to the Sheriff of St Maryes County that he cause to come before the Justices of the Provincial Court at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Co^{rt} Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes. At w^{ch} said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary Adjourned untill the next day being the Twelveth day of the same November.

At w^{ch} said Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. came aswell the said Walter Sencarfe by Vincent Lowe his Attorney as the said Josias ffendall by Robert Carvile his Attorney and the Juro^{rs} of that Jury whereof mention before is made likewise came, but the ptyes p^{lt} & Defend^{t} Relinquished the Jury by their owne consent & voluntaryly put themselves upon the Judgem^{t} of the Co^{rt} who having made full Examination into the business doe adjudge that the Act of Assembly cuts off the pl̃ts Debt, it being out of the limited time y^{t} y^{e} Act appointes to sue for it, and Doe therefore ord^{r} the bill to be Delivered up into Co^{rt}. and it is also considered that the said Josias ffendall Recover against the said Walter Sencarfe the sum̄e of six hundred ninty One pounds of Tobacco for his costs and Charges in this behalfe Expended & y^{t} y^{e} sd Walter be in mercy for his false complaint, and that the said Josias goe thereof without day.

Henry Beedle & Sophia his wife
ag^{t}
George Wells

George Wells late of Baltamore County Marchant was summoned to answere unto Henry Beedle & Sophia his wife Executrix of the last will and Testament of Richard Wells late of Herring Creeke in the County of Ann Arundell Marchant deceased of a plea that Justly he make a Reasonable account for the time he was Receiver of the goods and Tobacco of him the said Richard in the life time of the said Richard of what Cause soever and Contract to the Comōn proffit of the said Richard and George Provenient w^{ch} to them to make he ought.

And whereupon the said Henry and Sophia by John Morecroft their Attorney say that whereas the said George was Receiver of the goods and Tobacco of him the said Richard in the life time of the said Richard of whatsoever cause and Contract to the comōn proffit of the said Richard and George Provenient. And that the said George the 20th day of November in the yeare of our Lord One Thowsand six hundred sixty Eight did Receive by the hands of John Dunch Comand^{r} of the ship Baltamore in the life time of the said Richard goods and Tobaccoes to the vallue of five hundred pounds nineteene shillings and six pence sterling and seaven servants of him the said

Liber M M Richard his prop goods to Merchandize to the Comōn pffit of him the said Richard & the said George to be Devided Equally betweene them, and to make Reasonable account thereof when thereunto Required, Neverthelesse the said George Reasonable account thereof p. 84 to the said Richard in his life time or to the said Sophia whilst she was sole to whom Execution of the Testament of the said Richard was Comitted or to them the said Henry & Sophia after the marriage betwixt them Celebrated. hath not thereof made but the same to them to make hitherto hath Denyed and as yet doth Deny in the Retardacoñ of the Execution of the aforesayd Testam^t^ of the said Richard whereupon they say they are Damnifyed & have losse to the vallue of One Thowsand pounds sterling. and thereupon they bring their suite and they bring here into Co^rt^ the said Testament of the said Richard whereby it may more fully appeare to the Co^rt^ here that the said Sophia is the Executrix of the Testam^t^ of the said Richard and thereof hath the Admcōn

And the aforesayd George by Mathew Ward and his Attorney cometh and Defendeth the wrong and injury aforesayd when &c and saith that he was never Receiver of the goods and Tobaccoes and servants of the aforesayd Richard Wells in the Declaration aforesayd Specefyed or an account thereof to give in manner and forme as the aforesaid Henry & Sophia above against him have Declared and of this he puts himself upon the Country and the said Henry & Sophia likewise

Therefore comaund is given to the Sheriff of St Maryes County that he Cause to come before the Justices of the Provincial Co^rt^ at the Citty of St Maryes on the Eleaventh day of November next, being the first day of the same Co^rt^ Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both partyes. At w^ch^ said Eleaventh day of November the Provincial Co^rt^ aforesayd was by the writ of Adjournm^t^ of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

At w^ch^ said Twelveth day of November in the 42^th^ yeare of the Dominion of Caecilius &c Annoq Domini 1673, came aswell the said Henry Beedle and Sophia his wife by John Morecroft their Attorney as the said George Wells by Mathew Ward his Attorney and the Juro^rs^ of that Jury likewise Came to wit Thomas Simson William Russell Tobyas Miles Thomas ffrancis Justinian Tennison Richard Balley Joseph Brough Hugh Nash Thomas Marsh Robert Burle Joshua Doyen and Richard Smith, and the said Juro^rs^ being called Respectively to the Booke the said Defend^t^ George Wells Challenged William Russell one of the Juro^rs^ retorne as aforesayd, and the Court approving of his Reasons therefore, the said Defend^t^ Craved a Tales of one w^ch^ was by the Co^rt^ accordingly graunted and the said Sheriff of St Maryes County retorned to the Co^rt^ here for the said Tales Thomas Hawkins and so the said Thomas Simson

Tobyas Miles Thomas ffrancis Justinian Tennison Richard Bayley Liber M M
Joseph Brough Hugh Nash Thomas Marsh Robert Burle Joshua Doyne Richard Smith and Thomas Hawkins being elected tryed sworne to try the issue Joyned betweene the said Henry Beedle & Sophia his wife pl̄ts. and the said George Wells Defend^{t}, and the said p^{lt} offering to this Co^{rt} and Jury as Evidence a bill of Lading under the hand of John Dunch Comand^{r} of the ship Baltamore of London bearing date the Twentieth day of August One Thowsand six hundred sixty Eight for thirty seaven pcells of g[oods] shipped on the said ship Baltamore by Richard Wells for account of himself and the said George Wells, and Consigned to the said p. 85
Richard and George, as also one Receipt und^{r} the hand of the said John Dunch bearing date the Two & twentieth of August 1668. for Seaven Servants therein mentioned shipped also by the said Rich̄d for account of himself, and Consigned to the said George, as by the said writings Relacoñ being thereunto had more fully it doth & may appeare. and the Co^{rt} and Jury having fully heard both ptyes. the said Juro^{rs} upon their oathes doe say that they finde that the deft ought to accompt for the goods specefyed in the bill of Loding, and the seavants unto the p^{lts} wherefore it is considered by the Co^{rt} that the said George Wells, doe Render unto the said Henry Beedle and Sophia his wife Executrix of the last will & Testament of the said Richard his Reasonable account for the time he was Receiver of the goods and Tobacco of him the said Richard in the life time of the said Richard of what Cause soever and Contract to the Comōn proffit of the said Richard and George pvenient And it is further considered of by the Court, and they Doe hereby appointe authorise & Empower Nathaniel Heathcot & Robert ffranklyn both of Ann Arundell County gent. to be audito^{rs} to audite state and Examine the account of the said George which to the said Henry and Sophia to render he ought as aforesayd and the said Audito^{rs} are by the said Co^{rt} Ordered and Comaunded to meet at the house of John Larkin scituate in the said County of Ann Arundell on the fifteenth day of December next to audite the accounts aforesayd and so there to meete from day to day untill they shall have fully audited stated and Examined the accounts aforesayd, and that the said George Wells doe then and there attend the said Audito^{rs} in ord^{r} to Rendring his acc^{t} as aforesd̄ and so doe attend them from day to Day as the said Audito^{rs} shall appointe untill the said audito^{rs} shall have fully stated the said account. And the said audito^{rs} are further hereby Empowered for the better understanding of the p^{r}mises to administer oath or oathes to any witness or witnesses that shalbe pduced before them by Either of the said ptyes, And the said accompt when so audited adjusted stated & Examined that they Retorne unto the next Provincial Co^{rt} to be held at the City of St Maryes the Tenth day of ffebruary next, to his Lo^{pps} Justices there under their hands and seales that so his Lo^{pps} Justices being fully

Liber M M informed of the truth of the p^r^mises may doe theirin as to Justice apperteineth.

And the said George Wells being here p^r^sent in Co^rt^ by ord^r^ of the said Justices did in open Co^rt^ acknowledge himself to owe and stand indebted unto the Right hono^ble^ the Lord Proprietary in the sum̃e of five hundred pounds of lawfull money of England, and Thomas Taylo^r^ and John Wells his security did likewise acknowledge themselves Respectively to owe and stand indebted to the said Lord Proprietary in the sum̃e of Two hundred and fifty pounds of like lawfull money of England apeice, To be leavyed of their or any of their Respective goods and Chattells lands or Tenements for the use of the said Lord Proprietary his heires or successo^rs^ upon failer of the Condition following that is to say the condicion of this Recognizance is such that if the said George Wells shalbe and appeare at the house of John Larkin in Ann Arundell County on the fifteenth day of December next and there attend upon Nathaniel Heathcot & Robert ffranklyn p. 86 audito^rs^ appointed to state and Examine the account of the said George w^ch^ to Render to Henry Beedle and Sophia his wife he ought as aforesayd and so from day to day attend the said audito^rs^ as they shall appointe untill they have fully stated and adjusted the said account and also afterwards shalbe and psonally appeare at the next Provincial Co^rt^, when the said audito^rs^ shall Retorne y^e^ said account Examined & stated as aforesayd, and their if it shalbe so found that the said George Wells shalbe condemned then that he shall pay the Condemnacōn or Deliver himself to the prison of the Sheriff of St Maryes County their to Remaine untill he shall pforme the ord^r^ of his Lo^pps^ Justices in that behalfe then the said Recognizance to be voyd otherwayes to stand in force.

And his Lo^pps^ Justices doe further ord^r^ that the Defendt George Wells shall have Recourse to the bookes and paps belonging to the Estates of Richard Wells sen^r^ & Richard Wells Jun^r^ deceased that are now in the hands of Robert Carvile one of the Attornyes of this Co^rt^, and that are confest in the answere of M^r^ Henry Beedle & Sophia his wife at the Chamber of the said Carvile in the said Citty of St Maryes, and it is by the Co^rt^ further ordered that the said Beedle Cause the said Bookes, and paps to be brought before the said Audito^rs^ on the said fifteenth day of December next and so from day to day as the said Audito^rs^ shall ord^r^ & apointe.

Commission issued according to y^e^ effect & force of y^e^ foregoing Judg^t^ to Nathaniel Heathcot & Robert ffranklyn to audite y^e^ acc^ts^ afsd.

Shipped by the grace of God in good ord^r^ & well Condicioned by me Richard Wells for the propper account of my self and my Brother M^r^ George Wells in and upon the good ship called the Baltamore of London whereof is Master under god for this p^r^sent voyadge John

Liber M M

Dunch and now Riding at Anchor in the River Thames and by gods grace bound for Patuxent in Maryland to say foure hd̄d̄s Eight Runlets Eleaven bundles Two Caskes Two boxes foure barrels Two Chests one pack and one Trusse one Trunke and one Close stoole being in all thirty seaven pcells' being marked and numbered as in the margent and are to be Delivered in the like good ord^{r} and well Conditioned at the aforesayd Port of Patuxent the Danger of the Seas only Excepted unto M^{r} Richard Wells and Mr George Wells in Ann Arundell County at Herring Creeke or to their assignes freight for the said goods being already payd. with primage and Average accustomed In wit[ness] whereof the Master or purser of the said ship hath affirmed to three bills of Lading all of this Teno^{r} and date the one of w^{ch} three bills being accomplished the other to stand voyd and so God send the good ship to her Desined Port in safety Amen Done in Graves End 20th August 1668. these pcells Received Contents nor condition [not] Knowne Joh^{n} Dunch.

RW No
3:4.5 6:7:
24.25.8:00:
0. 0. 26 0.11.
12:24.25 23.
23 B:13 14:
15:16 17:18:
27:27.0 10:
9:11.19 1.2.
R^{w}. S. No. O

On the backside of the said bill of Loding was thus written vizt Goods in the ship not Entred in the bill of Loding. To my owne Sea Chest To one bread box To one Gunn To one payer of steelyards, To one bundle in a basket of Curtaines and vallence bound over with a Cloth Called Buckram To two Ovall baskets To one box of Medicines To one Port mantle R. W. p. 87

Likewise was thus written:

John Dunch Comander of the Baltamore being sworne this 23th day of June 1673. before me Deposeth and saith that to the best of his Knowledge he did subscribe and affirme the within mentioned bill of Loding and set his hand thereunto and that he did Deliver the goods theirein mentioned to George Wells according to the Tennour of the said bill of Loding as also the goods mentioned on the back of this bill of loading and that he hath a Receipt for the same from the said George Wells but for want of his booke he cannot possitively declare the same to be so.

Sworne before me
Philip Calvert.

Received on board the ship Baltamore whereof I am Comand^{r} Seaven servants viz^{t} John Catlin Ann Brookeland Roger Gutheridge Thomas Williams Mathias Stevenson Kathereine Griffin and one Negro called Bonnet for the account of M^{r} Richard Wells of Maryland, which I doe hereby Engage me my heires & Executo^{rs} to Deliver to M^{r} George Wells or his assignes in Maryland Mortallity the Danger of the seas Restraint of Princes and unlicensed Escapes Excepted Witnes my hand this 22^{d} of August 1668.

Jn^{o} Dunch.

On the backside of the said Receipt was thus written.

John Dunch Comand^{r} of the Baltamore being sworne this 23th of June 1673 before me saith that to the best of his Knowledge he did

Liber M M subscribe his name to the Receipt within mentioned for the servants withnamed w^{ch} he Delivered to George Wells and beleives he hath a Receipt from George Wells for the said servants but for want of his booke he cannot positively Declare the same to be so.

Sworne before me
Philip Calvert.

John Brookes
ag^{t}
Humphry Kitely.

Humphry Kitely late of Ann Arundell County otherwise called Humphry Kitely of Charles County Coop was summoned to answere unto John Brooks in a plea that he Render to him the sum̃e of Eighteene hundred pounds of Tobacco w^{ch} to him he oweth and unjustly Deteineth.

And whereupon the said John by Robert Carvile his Attorney saith that whereas the said Humphrey upon the 13th day of August in the yeare of our Lord 1668 by his certeine writing obligatory wc^{h} the said John with the seale of him the said Humphry signed here bringeth into Court whose date is the day & yeare abovesaid did acknowledge himself to owe and stand indebted unto the said John Brookes in the said sum̃ of 1800^{l} of good Tob in Caske to be payd to the sd John his heires Executo^{rs} Adm^{rs} or assignes in some convenient place in Charles County at or upon the Tenth day of November next Ensueing the date of the said writing obligatory, To the p. 88 which payment well and truly to be made he did binde himself his heires Executo^{rs} and Adm^{rs} firmly by those p^{r}sents Yet notwithstanding the said Humphrey the said sum̃e of Eighteene hundred pounds of Tobacco to him the said John though often Demanded hath not contented or payd but the same to pay as yet doth Deny & unjustly Deteyne whereupon the said John saith he is Damnifyed and hath losse to the vallue of Two thowsand five hundred pounds of Tobacco & thereupon he bringeth his suite.

And now here at this day to wit the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. Henry Stocket gentl̄ high Sheriff of the County of Ann Arundell retorned to the Justices here at St Maryes that he cannot take the body of the said Humphry Keitly because he abscondeth himself whereupon the said John Brookes prayes the Co^{rt} here that an attachm^{t} ag^{t} the goods and Chattells of him the said Humphry Keitly might be awarded according to the forme and Effect of a certeine Act of Assembly in that case made and provided and it was graunted unto him. Therefore comaund is given to the Sheriff of Ann Arundell County that whereas a certeine capias issueing out of the Provincial Court retornable before the Justices of the same Court the Eighth day of Aprill 1673. Directed by y^{e} sd Sheriff of Ann Arundell County thereby Comanding him y^{e} sd Sheriff to take the body of Humphry Keitly if he should be found within his baliwick and him safely Keepe so that he might have his body before the Justices of Liber M M the same Provincial Co^{rt} the Eighth day of Aprill then next coming to answere unto John Brookes of a plea that he render unto him the sum̄e of 1800^{l} Tob w^{ch} to him he oweth and unjustly Deteineth at w^{ch} said Eighth day of Aprill the said Sheriff retorned to y^{e} Justices here at St Maryes that he cannot take the body of y^{e} said Humphry Keitly because he abscondeth himself whereupon the said John Brookes prayes the Co^{rt} here that an Attachm^{t} against the goods and Chattells of him the said Humphry Keitly might be awarded according to the forme and effect of a certeine Act of Assembly in this case made and provided and it was graunted unto him It was therefore comaunded unto the said Sheriff that he attach any of the goods Chattells or debts of or belonging to the said Humph[ry] Keitly in whose hands soever they should be found to the vallue of the 2400^{l} Tobo at the leaste and when he hath attached the vallue aforesayd or any pt the[reof] that the same he Keepe safe in his Custody untill the said Humphry Keitly himself or his Attorney appeare before the Justices of the said Provincial Co^{rt} to be held at the said Citty of St Maryes the Tenth day of ffebruary next to answere the sd John Brookes in the plea aforesayd and in w^{t} manner he shoud Execute the sd writ that he should retorne to the sd Justices together wth the sd writ at the day and place aforesaid.

ffrancis Holland
ag^{t}
Henry Beedle & ux

Henry Beedle and Sophia his wife late of Ann p. 89 Arundell County was attached to answere unto ffrancis Holland in a plea of trespas and Ejectm^{t}.

And whereupon the said ffrancis by Kenelm Chiseldine his Attorney complaineth that whereas George Wells gentl̄ the Two and Twentieth day of October in the one and fortieth yeare of the Dominion of Caecilius &c did demise to him the said ffrancis Holland aswell all that pcell of Land comonly called and Knowne by the name of little Wells lyeing and being in Ann Arundell County aforesayd and in the woods betweene ffishing and Herring Creeke bay beginning at a marked white Oake in the line of the land called Wells and bounding on the Easte with a line Drawne south One hundred and sixteene pches to a marked white Oake in the line of the land of Anthony Salloway by a slash side bounding on the south with the said Sallowayes land and Running west and by North for the length of One hundred ninety six pches to a marked Oake being the Corner Tree of the said Sallowayes land, bounding on the West with a line Drawne North to the land of Wells fifty perches bounding on the North with the said Land running Easte and by North one hundred and ninety five pches to the first marked Oake Conteyning by Estimacon̄ one hundred acres more or lesse as also all that other

Liber M M pcell of land comonly called or Knowne by the name of Wells hills lyeing and being in Ann Arundell County aforesayd in the branches of fishing Creeke beginning at a marked Oake standing upon a hill the said Oake being a Corner Tree of the land of Anthony Salloway and Running south by the said Sallowayes line Eighty perches to a marked Poplar being a forked Tree then by a line drawne west thirty pches to a marked Chestnut Tree then by a line Drawne North from the said Chestnut for the length of three hundred and Twenty pches to a marked Red Oake bounding on the North with a line Drawne Easte two hundred and ninety pches to a marked Chestnut Tree standing in the line of the land aforesayd called little Wells bounding Easte and south with the land of Anthony Salloway to the first marked Oake Conteining by Estimation foure hundred and Twenty acres more or lesse with the appurtenances to have and to occupy to him & his assignes from the feaste of the Annunciacoñ of the blessed Virgin Mary then last past untill the full end & Terme of five yeares to be Compleate and Ended by vertu of which said Demise the afforesayd ffrancis Holland into the said Seuerall pcells of land with the appurtenances did Enter and was thereof possessed, and he the said ffrancis being so possessed thereof, the aforesayd Henry Beedle and Sophia his wife afterwards to wit the Twelveth day of November in the forty first yeare of the Dominion of Caecilius &c by force and Armes the said Seu^{r}all pcells of land with the appurtenances w^{ch} the aforesayd George Wells to him the said ffrancis Holland in forme aforesayd Demised for the Terme aforesayd w^{ch} is not yet paste did Enter and him from the said pcell of land with the apptnces did Eject and other harmes to him did doe to the greate damage of him the said ffrancis and against the peace &c whereupon he saith he is p. 90 Damnifyed and hath losse to the vallue of three hundred pounds sterling and thereupon he bringeth his suite.

And they the said Henry and Sophia by John Morecroft their Attorney come & Defend the force and injury when &c and they the said Henry and Sophia say that they are in no wise guilty of the trespas and Ejectm^{t} as the said ffrancis above there hath Declared and of this they put themselves upon the Country and the said ffrancis likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he cause to come before the Justices of the Provincial Co^{rt} at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Co^{rt} Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes. At w^{ch} said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

At w^{ch} said Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoq Domini 1673. came aswell the said ffrancis Holland by Kenelm Chiseldine his Attorney as the said Henry Beedle and Sophia his wife by John Morecroft their Attorney and the Juro^{rs} of that Jury likewise came to wit Thomas Simson Tobyas Miles Tho ffrancis Justinian Tennison Richard Bayley Joseph Brough Thomas Marsh Robert Burle Joshua Doyne Thomas Vaughan John Hollins and Richard Smith. who to say the truth in the p^{r}mises being elected tryed & sworne & the proofes and Evidences being heard of both sides the said Juro^{rs} retired from the barre to consider of their verdict in that behalfe, and the sayd Juro^{rs} imediately Retorning into Co^{rt} and being Respectively called Every man answered to his name and they Declaring they were agreed of their verdict the said p^{lt} ffrancis Holland was called to appeare to the sayd verdict but he appeared not wherefore it is considered by the Co^{rt} that a nonsuite be awarded against the said ffrancis Holland upon Evidence given and that the said Henry Beedle & Sophia his wife Recover ag^{t} the said ffrancis holland the sum̃e of pounds of Tobacco for their costs and Charges in this behalfe Expended, and the said ffrancis be in mercy for his false complainte. Liber M M

Henry Spry ag^{t} Hugh ffrench } Hugh ffrench late of Charles County planter was attached to answere unto Henry Spry of a plea of trespas upon the case.

And whereupon the said Henry by John Morecroft his Attorney complaineth that whereas the said Hugh the 23th day of ffebruary in the 40th yeare of the Dominion of Caecilius &c brought received and had of the said Henry one servant man for sixteene hundred pounds of Tobacco one hdd of Malossus for Eight hundred pounds of Tobacco in all amounting to Two Thowsand foure hundred pounds of Tobacco In consideration whereof the said Hugh did assume upon himself and to the said Henry did then and there faithfully pmise that the said Hugh the said sum̃ of Two Thowsand foure hundred pounds of Tobacco to him the said Henry well and truly when thereunto Required would satisfy and pay notwithstanding w^{ch} the said Hugh his said promise and assumpcõn little reguarding, but Devising and fraudulently intending him the said Henry of the said sum̃e of Two Thowsand and foure hundred pounds of Tobacco to Defraud the said sum̃e of 2400^{l} Tob to him the said Henry according to his promise and assumption so as aforesaid made hath not payd but the same to him to pay doth altogether refuse to the greate Damage of him the said Henry whereupon he saith he is Damnifyed and hath losse to the vallue of Three Thowsand pounds of Tobacco and thereupon he bringeth his suite. p. 91

And the said Hugh by Robert Carvile his Attorney comes and

Liber M M Defends the force and injury aforesayd when &c and saith that he did not promise or assume upon himself in manner and forme as the said Henry hath above Declared ag^{t} him and of this he puts himself upon y^{e} Country and the said Henry likewise.

Therefore comaund is given to the Sheriff of St Maryes County that he Cause to come before the Justices of the Provincial Co^{rt} at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Co^{rt} Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes. At w^{ch} said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary Adjourned untill the next day being the Twelveth day of the same November.

At w^{ch} said Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoque Domini 1673. came aswell the said Henry Spry by John Morecroft his Attorney as the said Hugh ffrench by Robert Carvile his Attorney and the Juro^{rs} of that Jury likewise came to wit Thomas Alanson Morgan Jones Philip Baggeas Nicholas Carre Curtis ffletcher Thomas Knighton John Bayley Bryan Dayley Abraham Roades Patrick fforrest ffrancis Wyne and William Harper who to say the truth in the p^{r}mises being Elected tryed & sworne and the Court making full Examinacōn into the p^{r}mises, and the Defend^{t} pleaded that he had past a bill for the sd Debt, and the pl̃t owning the same but that he had lost it, and so was forced to sue upon an assumpsit It was by the Co^{rt} here considered that the said Henry Spry Recover against the said Hugh french the said sum̃e of Two Thowsand foure hundred pounds of Tobacco his Debt aforesayd, and that Each pson beare his owne Charges and that Henry Spry pay the Jury Tenn pounds of Tobacco p man so both ptyes were by the Court here dismist without further day.

p. 92 John Goldsmith
ag^{t}
Richard Wicker
A writ of Attachm^{t} issueing out of this Co^{rt} ag^{t} the goods and Chattells of Richard Wicker at the suite of John Goldsmith and the Sheriff having Retorned the said writ of Attachm^{t} Executed and apprased by John Grace & John Rosewell to say three Cowes and Calves at sixteene hundred & fifty pounds of Tobacco. one young heifer at Two hundred and fifty pounds of Tobacco. Two Gunns at three hundred pounds of Tobacco. Two small Chests without locks at Eighty pounds of Tobacco One ould hamacke at forty pounds of Tobacco. One peice of a Deare skynn at fifteene pounds of Tobacco. one Barrow shoate at fifty pounds of Tobacco one ould shot bagg at five pounds of Tobacco. in all amounting to the sum̃e of Two thowsand three hundred and ninety pounds of Tobacco, w^{ch} said Goods remaine in the hands of the Sheriff of St Maryes County.

And now here at this day to wit the Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoq Domini 1673. came the said John Goldsmith together with Nehemiah Blackiston his security and Did enter into Recognizance to the Lord Proprietary in the sum̃e of five Thowsand pounds of Tobacco to be leavyed &c if Wicker Doe appeare or any for him and Disprove ye Judgt in a yeare and a day, then that the said John Gouldsmith shall make good the vallue of the goods appraysed as aforesayd according to the forme of a certeine Act of Assembly in that case provided: Liber M M

Whereupon It is by the Court ordered that the Sheriff of St Maryes County Deliver unto John Gouldsmith or his ordr the goods aforesayd wch were of the aforesayd Richard Wicker, and were by the said Sheriff by vertu of the said attachmt attached, and for his so doeing this shalbe his warrant.

Henry Beedle & Sophia his wife
agt
George Wells

George Wells late of Baltemore County gentl was attached to answere unto Henry Beedle and Sophia his wife Executrix of the last will and Testamt of Richard Wells Deceased of a plea of Trespas upon the case.

And whereupon the said Henry and Sophia by John Morecroft their Attorney Complaine that whereas the said Richard Wells in his life time to wit the seaventh day of ffebruary in the yeare of our Lord God One Thousand six hundred and Seaventy at the instance and Request of him the said George had Disburst payd and laid out for and on the behalfe of the said George to seurall psons Seurall sum̃es of Tobacco due from him the said George And whereas also the said George had bough[t] had and Received of him the said Richard in his life time to wit the said Seaventh day of ffebruary in the yeare of our Lord One Thowsand six hundred & Seaventy aforesd Seurall goods and Marchandizes all wch in the whole amount p. 93 to the sum̃e of forty foure Thowsand two hundred fifty and Seaven pounds of Tobacco, and whereas likewise the said George the same day and ye[ar]e at the instance and Request of him the said Richard in his life time, and for his behoofe had Disbursed payd and laid out Seurall sum̃es of Tobacco due to seurall psons from him the said Richard, and had then also sould and Delivered to him the said Richard in his life time seurall goods & Marchandizes all wch in the whole amount to the sum̃e of thirty three thowsand two hundred forty two pounds of Tobacco. In consideracōn whereof the said George did then and there assume upon himself, and to the said Richard in his life time did faithfully promise that he the said George would well and truly satisfy and pay to him the said Richard when thereunto required all such sum̃es or sum̃es of Tobacco as

Liber M M he the said Richard his Disbursem^{ts} for and on the behalfe of the said George should amount unto and Exceed the Disbursem^{ts} of him the said George by him on the behalfe of the said Richard so disbursed as aforesayd. And they the said Henry and Sophia in fact say that the Disbursem^{ts} of the said Richard in his life time for and on the behalfe of the said George did and Doe amount to and Exceed the sum̃es by y^{e} said George for and on the behalfe of him the said Richard in his life time disbursed the sum̃e of Eleaven Thowsand and fifteene pounds of Tobacco as they the said Henry and Sophia by wayes and meanes convenient can make appeare. Notwithstanding the said George his promise & assumption so as aforesayd to him the said Richard in his life time made little reguarding but Devising and fraudulently intending him the said Richard in his life time and the said Sophia after the death of the said Richard, to whom Execution of the Testam^{t} of the said Richard was committed, and them the said Henry and Sophia after the marriage betweene them Celebrated the said sum̃e of Eleaven Thowsand and fifteene pounds of Tobacco to Defraud the said Sum̃e of Eleaven Thowsand and fifteene pounds of Tobacco to him the said Richard in his life time, nor to the said Sophia whilst she was sole, nor to them the said Henry & Sophia after the marriage betweene them Celebrated although often thereunto Required hath not satisfyed but the same to satisfy doth altogether refuse, in the Retardacon̄ of the Execution of the Testam^{t} aforesayd, whereupon they say they are Damnifyed and have losse, to the vallue of Twenty Thowsand pounds of Tobacco, and thereupon they bring their suite and they bring here into Co^{rt} the said Testam^{t} of him the said Richard whereby it may appeare to y^{e} Co^{rt} here that the said Sophia is Executrix of the Testam^{t} of the said Richard and thereof hath the Administration.

And the aforesayd George by Mathew Ward his Attorney cometh and Defendeth the wrong and injury aforesayd when &c and saith that he did not assume and promise in manner and forme as the
p. 94 said Henry & Sophia above against him have Declared and of this he puts himselfe upon the Country and the said Sophia and Henry likewise

Therefore Comaund is given to the Sheriff of St Maryes County that he cause to come before the Justices of the Provincial Co^{rt} at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Court twelve &c by whom &c who neither &c because as well &c to Recognize &c and the same day is given to both ptyes. At w^{ch} said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

At w^{ch} said Twelveth day of November in the 42th yeare of the

Dominion of Caecilius &c Annoqȝ Domini 1673. came aswell the said Henry Beedle & Sophia his wife by John Morecroft their Attorney as the said George Wells by Mathew Ward his Attorney and the Juro^{rs} of that Jury likewise came to wit William Slade John Askun John Creycroft William Baker John Camell Thomas Warner John Nuthall Thomas Vaughan Thomas Gannt Richard Smith John Gittings and Thomas Doxey who to say the truth in the p^{r}mises being elected tryed and sworne upon their oathes doe say that they finde for the Defend^{t} wth costs of suite wherefore it is considered by the Co^{rt} here that the said George Wells Recover ag^{t} the said Henry Beedle & Sophia his wife the sum̃e of pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Henry and Sophia be in mercy for their false complaint and that the said George goe thereof without day. Liber M M

M^{r} Carvile 11th Nov: 1673

I pray appeare for me at the suite of John Charlesworth in a plea of Trespas on the case, take coppy of the Declaration and put in such plea thereunto as you shall thinke fit and for soe doeing this shalbe your warr^{t}

To M^{r} Robert Carvile one of the Yo^{r} loving frend
Attorneys of y^{e} Provincial Co^{rt} The marke of
at St Maryes John Baker Mathias + Decosta.

Thomas Jones ag^{t} Mathew Nelson

Mathew Nelson late of Calvert County was attached to answere unto Thomas Jones one of the Attorneys of this Co^{rt}, according to the libertyes and previledges &c in a plea of Trespas on y^{e} case.

And whereupon the said Thomas in his pp pson sayth that the said Mathew being about the 21st day of Aprill in the yeare of our Lord 1671 indebted to the said Thomas in the sum̃e of Twelve hundred pounds of Tobacco did in consideracoñ thereof assume upon himself and to the said Thomas faithfully promise that he the said Mathew the said sum̃e of Twelve hundred pounds of Tobacco to p. 95 him the said Thomas when thereunto Required would well and truly pay yet notwithstanding the said Mathew his promise and assumption aforesayd little reguarding but Devising and fraudulently intending him the said Thomas in this behalfe to Deceive the said sum̃e of Twelve hundred pounds of Tobacco to him the said Thomas though often thereunto required hath not payd but the same to him to pay hath hitherto Denyed and as yet doth Deny, whereupon he saith he is Damnifyed and hath losse to the vallue of Two Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said Mathew by John Rousby his Attorney cometh and defendeth the wrong and injury aforesayd when &c and saith that he did not promise & assume upon himself in manner and forme as

Liber M M the said Thomas hath above Declared ag^{t} him and of this he puts himself upon the Country, and the said Thomas Jones likewise

Therefore Comaund is given to the Sheriff of St Maryes County that he cause to come before the Justices of the Provincial Co^{rt} at the Citty of St Maryes on the Eleaventh day of November next being the first day of the same Co^{rt} twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes. At which said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^{t} of the said Lord Proprietary adjourned untill the next day being the Twelveth day of the same November.

At w^{ch} said twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. came aswell the said Thomas Jones in his pp pson as the said Mathew Nelson by John Rousby his Attorney and the Juro^{rs} of that Jury likewise came to wit Thomas Knighton Thomas Griffen Curtis ffletcher William Baker Abell James John Waghob Leonard Greene Thomas Courtney Abraham Roades Joseph Brough John Bayley and Vincent Atchinson who to say the truth in the p^{r}mises being elected tryed and sworne and having heard the proofes of both sides Retired from the barre to consider of their verdict and retorning imediately into Co^{rt} againe to Deliver up their verdict & the ptyes being called to heare y^{e} the same the defend^{t} appeared not yet notwithstanding the Co^{rt} Demaunding their verdict the said Juro^{rs} upon their oathes doe say that they finde for the p^{lt} his debt with costs of suite. wherefore it is considered by the Co^{rt} here that the said Thomas Jones Recover ag^{t} the said Mathew Nelson aswell the said sum̃e of Twelve hundred pounds of Tobacco his debt aforesayd as also the sum̃e of One thousand and eight pounds of Tobacco for his costs & Charges in this behalfe Expended and the said Mathew in mercy &c.

p. 96 Nicholas Carre & Sarah his wife
ag^{t}
Toby Miles

Toby Miles late of Calvert County planter was Attached to answere unto Nicholas Carre and Sarah his wife of a plea of Trespas.

And whereupon the said Nicholas and Sarah by John Morecroft their Attorney Complay[ne] that whereas by the Law & Custome of the nation of England Every man is alwayes bound safely and securely to Keepe his Cattle and Chattells least by Cattle to men & women living Creatures & Chattells hurt or damage should any wayes happen to his Neighbo^{rs}. Notwithstanding the said Tobyas the 28th day of ffebruary in the yeare of our Lord 1670 at the Clifts in Calvert County aforesayd by force and armes Knowingly did Keepe a certeine Dog accustomed to byte people, and so negligently and unduly did Keepe that dog that the said Dog the said Eight &

Twentieth day of ffebruary in the yeare aforesayd the said Sarah the wife of the said Nicholas did byte and her the said Sarah did Teare and greviously wound of w^ch^ wounds she did a long time lanquish whereby the said Nicholas did Expend diverse and greate sum̃es in and about the curing of the said wounds, and other Enormityes did then & there doe to the greate damage of them the said Walter & Sarah and Contrary to the peace & whereupon they say they are Damnifyed and have losse to y^e^ vallue of foure Thowsand pounds of Tobacco and thereupon they bring their suite. Liber M M

And the said Tobyas Miles by George Parker his Attorney doth come & defend the force and injury when &c and saith that he is in no wise guilty of the p^r^mises in manner & forme as the p^lt^ in his Declaration hath Declared and of this he puts himself upon the Country and the said Nicholas and Sarah likewise.

Therefore comaund is given to the Sheriff of St Maryes County that he Cause to come before the Justices of the Provincial Co^rt^ at the Citty of St Maryes the Eleaventh day of November next being the first day of y^e^ same Co^rt^ twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes. At w^ch^ said Eleaventh day of November the Provincial Court aforesayd was by the writ of Adjournm^t^ of the said Lord Proprietary adjournes untill the next day being the Twelveth day of the same November.

At w^ch^ said twelveth day of November in the 42^th^ yeare of the Dominion of Caecilius &c Annoq̧ Domini 1673. came aswell the aforesayd Nicholas Carre & Sarah his wife by John Morecroft their Attorney as the said Toby Miles by George Parker his Attorney and the Juro^rs^ of that Jury likewise Came to wit Demetrius Cartwright John Hollins Henry Spry William Watts Richard Whittey George Charlesworth Edward Wincles William Whittle Henry Beedle Thomas Courtney Thomas Bennet & John Barbour who to say the truth in the p^r^mises being elected tryed & sworne upon the oathes doe say that they finde for the Defend^t^ with costs of suite. wherefore it is Considered by the Co^rt^ here that the said Toby Miles Recover ag^t^ the said Nicholas Carre and Sarah his wife the sum̃ of pounds of Tobacco for his costs and Charges in this behalfe vexatiously Expended and that the said Nicholas & Sarah lose their writ and be in mercy for the false complainte and the Court doe ord^r^ the Jury to be payd One hundred & Twenty pounds of Tob a peice in all 1440^l^ Tob for their attendance.

p. 97 Thomas Knighton of Ann Arundell County gentl̄ being subpenaed this Co^rt^ as a witnes between Henry Beedle & Sophia his wife p^lts^ and George Wells defend^t^ on the behalfe of the said Wells peticions the Co^rt^ for his Charges this Co^rt^ and the last Co^rt^ being then also subpenaed. The Co^rt^ Examining the matter how long he

Liber M M

had attended, It is by the Co^{rt} ordered that the said M^{r} George Wells pay unto the said Thomas Knighton foure hundred sixty Eight pounds of Tobacco for his Charges in this behalfe Expended.

Henry Phipps
ag^{t}
Thomas Marsh

Comaund was given to the Sheriff of Ann Arundell County that he take Thomas Marsh late of Ann Arundell County gentl and him safely Keepe so that he have his body before the Justices of the Provincial Co^{rt} to be held at the Citty of St Maryes the Eleaventh day of November next to Render to Henry Phipps Adm^{r} of the goods and Chattells of Edward Maynard Deceased his Reasonable account of the time in which he was Receiver of the goods of him the said Edward in the life time of the said Edward whereupon in the same Court it is considered of that the said Thomas Marsh shall account with the said Henry and that he should have then and there the same writ, At w^{ch} said Eleaventh day of November the Provincial Court was by a writ of Adjournm^{t} of the said Lord Proprietary adjourned untill the Twelveth day of the same November, At w^{ch} said day came the said Henry Phipps by John Morecroft his Attorney and the said Thomas Marsh by Henry Stocket high sheriff of the said County brought here into Co^{rt} It is by the Court this day ordered in p^{r}sence of the Attornyes of both sides that M^{r} Thomas Dent and M^{r} Christopher Rousby be and are hereby apointed audito^{rs} to audite state & Examine the account of the said Thomas Marsh w^{ch} to rend^{r} to the said Henry Phipps he ought And that the said Audito^{rs} meete at St Maryes on Thursday the Twentieth day of November next to audite the said account, and that the said Thomas Marsh doe then and theire attend the said audito^{rs}, and so doe attend from day to day untill the said account shalbe fully stated by the said audito^{rs}, And the said Justices Doe hereby Empower the said audito^{rs} to administer oath or oathes to any witnesses that shalbe pduced before them on either pt. And the said account when audited and stated betweene y^{e} said ptyes that the said audito^{rs} Retorne unto the said next Provincial Court under their hands and seales and for their pceedings herein this shalbe their warrant.

Comission issued according to the effect and force of the foregoing ord^{r} to Thomas Dent & Christopher Rousby gent^{l} to audite the acc^{ts} aforesayd.

The 17th November 1673.

Came John Garnish of St Maryes County and Desired the Eare marke of his Cattle and hoggs might be Entred upon Record w^{ch} is as followeth (vizt) Cropt and slit on the Right Eare, and Cropt on the left eare.

Liber M M

Tho: Jones ag^t Mathew Nelson } Mathew Nelson late of Calvert County was attached to answere unto Thomas Jones one of the Attorneys of this Co^{rt} according to the libertyes and priviledges allowed &c in a plea of Trespas on the case.

And the said Thomas Jones in his pp pson saith that he the said Jones upon the earnest importunity of the said Mathew Nelson on the one and Twentieth day of Aprill in Annamessex River in Somerset County & in y^e 39th yeare of the Dominion of Caecilius &c Annoq; Domini 1671 did Deliver to the said Mathew Nelson one white Gelding or horse with saddle and bridle to be necessaryly used and Kept by him y^e sd Nelson in good Condicion without p^{r}judice In consideracoñ whereof the said Nelson upon himself did assume and to the said Jones did faithfully pmise that he the said Nelson necessarily useing the said horse would finde and allow the said horse sufficient foode, and at the first and next arrivall of the said Jones into this Province from England he the said Nelson would Retorne the said horse in good Condicion with bridle & saddle to him the said Jones or his ord^r and the said Jones arriving into this Province from England in Som^{r}set County aforesayd on the 25th day of March last past and making Demaund of y^e said horse with bridle & saddle according to the agreem^t betwixt him the said Jones & the said Nelson. The said Nelson his promise and assumption little Reguarding but fraudulently intending to Deceive him the said Jones of the said horse with bridle and saddle aforesayd though often thereunto Required did not Deliver the said horse with bridle & saddle to the said Jones his ord^r according to his pmise and assumption aforesayd and as yet doth refuse to Deliver the said horse with bridle and saddle as aforesayd whereupon the said Jones saith he is Damnifyed and hath losse to the vallue of five Thowsand pounds of Tobacco and thereupon he brings his suite. p. 98

And the said Mathew by John Rousby his Attorney cometh and Defendeth the wrong and injury aforesayd when &c and saith that he did not promise and assume upon himself in manner and forme as the said Thomas hath above Declared against him and of this he puts himself upon the Country and the said Thomas Jones likewise.

And now here at this day to say the Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. the said Thomas Jones being called to psecute his plainte ag^t the said Mathew Nelson appeared not wherefore it is considered by the Court here that a nonsuite be awarded ag^t the said Thomas Jones and that the said Mathew Nelson Recover ag^t the said Thomas Jones the Sum̃e of six hundred Sixty & six pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Thomas in mercy &c.

Liber M M

John Prat
ag^{t}
Tho: Philips

Rule passed in this Cause that the Defend^{t} pleade by Munday morning or Judg^{t} to be awarded ag^{t} him by Default; the Defend^{t} filed his plea in time wherefore y^{e} Cause continued untill the next Co^{rt}.

Edmond Lister
ag^{t}
Thomas Momford

Thomas Momford late of St Maryes County Marchant was attached to answere unto Edmond Lister gentl̄ wherefore by force and Armes One Island called the ffolly conteyning five hundred and fifty acres of land in   County w^{ch} William Thomas to the said Edmond did Demise for a Terme w^{ch} is not yet paste did Enter and him the said Edmond from his farme aforesayd did Eject and other Enormityes to him did there doe to the greate Damage of him the said Edmond and Contrary to the peace &c p. 99

And whereupon the said Edmond by John Morecroft his Attorney complaineth that whereas the said William Thomas the sixth day of July in the fortieth yeare of the Dominion of Caecilius &c Annoq; Domini 1672 had Demised to the said Edmond the Tenem^{ts} aforesayd with the appurtenances to have and to hould to the said Edmond & his assignes from the ffeaste of St Michael the Arch Angell laste paste to the ende Terme of five yeares from thence next ensueing fully to be compleate and Ended by vertu of w^{ch} Demise the said Edmond into the Tenem^{ts} aforesayd with the apptnc̄es did Enter and was thereof possessed and so thereof being possessed the said Thomas Momford afterwards to wit the said sixth day of July in the 40th yeare of the Dominion of Caecilius &c aforesayd into the Tenem^{ts} aforesayd with the apptnc̄es w^{ch} the said William to the said Edmond informe aforesayd had Demised for the Terme aforesayd w^{ch} is not yet paste with force and armes and did Enter and him the said Edmond from his farme aforesd̄ did Eject and other Enormityes to him did there doe to the greate damage of him the said Edmond and Contrary to the peace &c whereupon he saith he hath damage and is the worse to the vallue of Tenne pounds sterling, and thereupon he bringeth his suite.

And the said Thomas Momford by Kenelm Chiseldine his Attorney comes and Defends the force and injury when &c and the said Thomas prayeth Delay thereof untill the first day of the next Co^{rt}, and the same day is given to both ptyes.

At w^{h} day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. It is by the Co^{rt} ordered by consent of John Morecroft Attorney of the p^{lt} and Kenelm Chiseldine Attorney for Philip Shapleigh late of Som^{r}set County gentl̄ that the said Philip shalbe admitted defend^{t} who shall appeare without Delay by his Attorney aforesayd and shall Receive a Declaration and pleade the gen^{r}all issue thereunto this Co^{rt} and to the tryall thereof shall appeare in his pp pson or by his Councell or Attorney and acknowledge the Demise Entry and actuall Expulsion or in Default thereof Judgemt shalbe entred agt the Defendt Thomas Momford the casuall Ejector but any further prosecution against him shalbe spared untill the said Philip in any of the prmises shall make Default And by the Consent of the Councell It is further ordered by the Cort that the said Philip shall take no Advantage agt the plt for not psecuting occasioned by his Default but the said Philip shall pay to the plt the costs by the Cort to be Taxed thereupon and it is further ordered that the Lessor plt shalbe Chargeable wth the paymt of the Defendts costs by the cort allowed by any meanes taxed & adjudged. and now here at this day to say the 12th day of November in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. according to ye above ordr a new Declaration was filed and the Cause continued untill the next Cort Liber M M

Jonathan Sybrey
agt
Jeremiah Eaton

Jeremiah Eaton late of Kent County and Mary his wife Administratrix of the goods and Chattells of Thomas Ingram late of the said County deceased were summoned to answere unto Jonathan Sybrey of a plea that they Render unto him the sum̄e of thirty Thowsand pounds of Tobacco wch from him they unjustly Deteyne. p. 100

And whereupon the said Jonathan by Vincent Lowe his Attorney saith that whereas the said Thomas Ingram together with John Wright as his security in the life time of the said Thomas to wit the 23th day of January in the yeare of our Lord 1667 by their certeine bond or writing obligatory sealed with the seales of them the said Thomas and John and here in Cort pduced whose date is the day and yeare abovesd did acknowledge themselves to owe and stand indebted to the said Jonathan in the sd sum̄ of thirty Thowsand pounds of good sound and marchantable Tobacco in leafe and Casque according to Act of Assembly and for the true & Just paymt well and truly to be made and done they did binde themselves their heires Executors and Admrs Jointly and seurally for the whole and in the whole 30000l Tob aforesyd Yet the said Thomas Ingram and John Wright in the life time of the said Thomas and the said John and Mary while the said Mary was sole and the said John and Jeremiah & Mary since the Intermarriage of the said Jeremiah & Mary although often Demanded the abovesayd sum̄e of 30000l Tob have not Rendred to him the said Jonathan but the same to Render unto him have Denyed and the aforesayd Jeremiah and Mary his wife the same to him as yet to Rendr doe deny and unjustly deteyne whereupon he saith he is Damnifyed and hath losse to the vallue of 40000l Tob and thereupon he bringeth his suite.

And the said Jeremiah and Mary his wife by John Morecroft their Attorney come and Defend the force and injury when &c and pray the hearing of ye said writing obligatory and it is Read unto them

Liber M M and they likewise pray y^{e} hearing of y^{e} Condicion of the said writing obligatory and it is also Read unto them in these words The Condicion of this obligation is such that if the above bound Thomas Ingram & John Wright or either of them or their heires or assignes doe well & truly pay or cause to be payd unto the aforesayd Jonathan Sybrey or his heirs or assignes the yearly Rent of six Thowsand five hundred pounds of good sound Marchantable Tobacco and Caske according to act of Assembly with Conveniency upon the Island of Kent so that the said Rent be yearly satisfyed by the Tenth day of Decemb̄ for the full Terme of three yeares next Ensueing as appeares at large in a graunt from the said Sybrey and his wife to the said Thomas Ingram and bearing date. with these p^{r}sents more fully appeareth and also to observe and Keepe the Covenants conteyned in the said Deed according to agreem^{t} then this p^{r}sent obligation to be voyd and of none Effect otherwayes to stand in full force power and vertu in Law Dated the 23th day of January 1667 as witnes their hands and seales w^{ch} being Read and heard the said Jeremiah & Mary his wife pray liberty of speaking thereunto untill the first day of the next Provincial Cor^{t} being the Eighth day of Aprill next and the same day is given to both ptyes. At w^{ch} said Eighth day of Aprill came the said Jonathan Sybrey by his said Attorney and offered himself ag^{t} the said Jeremiah and the said Jeremiah by his Attorney came likewise and the said Jeremiah and the said Mary say that they by virtu of the said writing of the said Debt in the said writing mentioned ought not to be burthened because
p. 101 they say that the said Thomas Ingram in his life and the said Mary after his death whilst she was sole and the said Jeremiah and Mary after the Espowsall's betweene them hath well and truly pformed all and Every the Coven^{ts} in the said Graunt conteyned & pray the hearing of the said Graunt and the said Jonathan may his breach therein assigne.

And the said Jonathan saith that he ought not to be barred from having his accoñ aforesayd for that the said Thomas Ingram in his life time nor the said Mary & Jeremiah since his Death have not pformed the Coven^{ts} in the said bond and graunt conteyned as the said Jonathan can make appeare to this Co^{rt} but they say they cannot pduce the sd graunt being only a lease for three yeares of w^{h} no Counterp̄t was Ever made and the Originall Delivered to the said Thomas Ingram and now is in the Custody of the said Jeremiah and Mary and by him Deteyned and this he prayes may be inquired by the Country.

And now here at this day to wit the Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673 the Co^{rt} making Examination into the business the p^{lt} suffered a non suite wherefore it is considered by the Co^{rt} that the said

Jeremiah Eaton & Mary his wife Recover ag^{t} the said Jonathan Sybrey the sum̃e of pounds of Tobacco for their costs and Charges in this behalfe Expended and that the said Jonathan have no benefit by his writ but be in mercy for his false complaint & that the said Jeremiah & Mary goe thereof wthout day. Liber M M

John Quigley
ag^{t}
George Brewer

In this Cause a non suite was awarded ag^{t} the p^{lt} and therefore it is Considered by the Co^{rt} that the said George Brewer Recover ag^{t} the said John Quigley the sum̃e of pounds of Tobacco for his costs and Charges in this behalfe Expended and the said John in mercy &c.

Thomas Doxey
ag^{t}
Thomas Griffin

Thomas Griffin late of St Maryes County Attorney of Henry ffinch of Bristol Marchant was sumōned to answere unto Thomas Doxey in a plea that he the said Henry ffinch Rend^{r} unto him one man or woman Servant w^{ch} to him he oweth and unjustly Deteineth

And whereupon the said Thomas Doxey by Kenelm Chiseldine his Attorney saith that whereas the said Henry ffinch upon the 11th day of Aprill in the yeare of our Lord 1670, did by his certeine writing obligatory sealed with the seale of the said Henry here in Co^{rt} pduced whose date is the day & yeare abovewritten did Covenant bargaine and Ingage himself unto the said Thomas Doxey of the County of St Maryes to send or consigne unto y^{e} sd Doxey in one man or woman servant being aged betwixt sixteene & thirty yeares of age upon Consideracōn that the aforesayd Doxey doth Deliver or pay unto me or my assignes foure hundred pounds of sound Marchantable Tobacco and I the said Henry ffinch doe engage to send the servant before the Twenty fifth of March next Ensueing the date hereof Notwithstanding w^{ch} the said Henry ffinch though often thereunto Required the said man or woman servant according to the Teno^{r} of the said writing hath not consigned or Delivered p. 102
unto him the said Thomas Doxey but endeavoring and fraudulently intending him the said Thomas Doxey the same to Deceive and Defraud to him the said Thomas hath and still doth Deny the same to Deliver to the Damage of the said Thomas Doxey six Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said Thomas by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and saith that the said Thomas Doxey his accōn aforesayd ought not to have because he saith he is not Attorney of the said Henry ffinch as by the said

Liber M M Declaracōn is above alledged and of this he puts himself upon the Country.

And the said Thomas Doxey saith that he the said Thomas his accōn aforesayd ought not to be Debarred because he saith that the said Thomas Griffin is Attorney of the said Henry ffinch and of this he puts himself upon the Country.

And nowhere at this day to wit the twelveth day of November in y^{e}42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. came the said Thomas Doxey by the said Kenelm Chiseldine his Attorney and offered himself agt the said Thomas Griffin of and upon the premises and the said Thomas Griffin appeared not but made Default wherefore it is considered by the Co^{rt} here that the said Thomas Doxey Recover ag^{t} the Estate of the said Henry ffinch Remaining in the hands of the said Thomas Griffyn his Damages aforesayd as also the sum̃e of pounds of Tobacco for his Costs & Charges in this behalfe. Expended and the said Thomas Griffin in mercy &c.

Elizabeth Story
ag^{t}
Josias ffendall

Comaund was given to the Sheriff of Charles County that whereas Elizabeth story hath at a Provincial Co^{rt} held at St Maryes y^{e} 8th of ffeb 1669 obteined Judg^{t} ag^{t} Josias ffendall for foure thowsand sixty one pounds of Tob debt & five hundred thirty nine pounds of Tob costs for w^{h} Execution is not yet issued therefore to comaund y^{e} sd Sheriff that by good & honnest men of his Baliwick he make Knowne to y^{e} sd Josias to be before y^{e} Justices of y^{e} Provinciall Co^{rt} the Eleaventh day of November next to show cause if any he had why Execution should not issue ag^{t} him for y^{e} sd Judg^{t}. At w^{ch} day the sd Sheriff Retornes he had made Knowne to y^{e} sd Josias by Thomas Lomax & Mathew Stone lawfull men of his County as by the sd writ he was Comaunded, and now at this day y^{e} 12th day of November 1673 before y^{e} sd Justices appeared y^{e} sd Josias by Robert Carvile his Attorney and the p^{lt} suffered a nonsuite their being a mistake in y^{e} writ she being long since married to one Henry Bonner in whose name y^{e} sd writ should have issued It is therefore considered by the Co^{rt} here that the sd Josias Recover ag^{t} the sd Elizabeth the sum̃e of pounds of Tob costs, and the said Elizabeth in mercy &c

p. 103 Curtis ffletcher
ag^{t}
John Pollard

The p^{lt} having filed no Declaration the Defend^{t} craved a nonsuite wherefore ordered by the Co^{rt} that a nonsuite be awarded ag^{t} him It is therefore considered by the Co^{rt} that the said John Pollard Recover ag^{t} the said Curtis ffletcher the sum̃e of pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Curtis ffletcher in mercy &c.

George Diamont
ag^{t}
Cornelius Carmial

This Cause by Consent of the Attorneys of both sides continued untill the next Provincial Co^{rt}. Liber M M

Curtis ffletcher
ag^{t}
Edward ffitzherbert
& Caleb Baker

Edward ffitzharbert Esqꝫ and Caleb Baker late of St Maryes County Executo^{rs} of the last will and Testm^{t} of William Hattoff deceased was attached to answere unto Curtis ffletcher in a plea of Trespas upon the case

And whereupon the said Curtis by Kenelm Chiseldine his Attorney Complaineth that whereas the said William Hatoff upon the first day of May in the 40th yeare of the Dominion of Caecilius &c and in the yeare of our Lord 1671 stood indebted to the said Curtis for Eight moneths storage and Diat for himself and foure moneths diat for one that Tended upon him as also for seu^{r}all other accomodations Received at the house of him the said Curtis together with seu^{r}all goods and Marchandizes all bought had received and Delivered at Diverse dayes and times to wit from the first day of May in the yeare aforesayd untill the day of December in the same yeare a pticuler whereof is here in Co^{rt} produced amounting to the sum̄e of five Thowsand five hundred forty Seaven pounds of Tobacco. In Consideracōn whereof the said Will̄m did assume upon himself and to the said Curtis did faithfully promise, that he the said William when thereunto Required the said sum̄e of five Thowsand five hundred forty Seaven pounds of Tobacco to him the said Curtis would well and truly content & pay, Notwithstanding which the said William the said sum̄e of 5547^{1} Tob in his life time hath not payd though required, Nor they the said Edward & Caleb Executor^{s} of the last will and Testam^{t} of the said William though often thereunto Required Since his death hath not payd but the same to pay altogether denyes, whereupon the said Curtis saith he is Damnifyed Seaven Thowsand pounds of Tobacco & thereupon he bringeth his suite.

And the said Edward and Caleb by John Morecroft their Attorney doe come and Defend the force and injury when &c and say that the said Edward & Caleb have fully administred all and singuler the goods and Chattells w^{ch} were of the said William at the time of his death and nothing have of the goods that were of the said Williams at the time of his Death in their hands to be Administred wherefore they the said Edward and Caleb pray the Judgem^{t} of the Co^{rt} if the sd Curtis his accon̄ ought to have against them.

And now here at this day to wit the Twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673. came the said Curtis ffletcher by the said Kenelm Chiseldine his Attorney and offered himself ag^{t} the said Edward & Caleb of & upon the p^{r}mises and the said Edward & Caleb apeared not but made p. 104

Liber M M Default wherefore it is Considered by the Cort here that the said Curtis ffletcher Recover agt the Estate of the said William Hattoff deceased Remaining in the hands of the said Edward and Caleb aswell the said sum̄e of five Thowsand five hundred forty and Seaven pounds of Tobacco his debt aforesayd as also the sum̄e of   pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Edward & Caleb in mercy &c.

Garrat Vanswearingen
agt
Cornelius Stewart

Cornelius Stewart late of Ann Arundell County was Sumoned to answere unto Garrat Vanswearingen in a plea that he rendr unto him the sum̄e of One Thowsand Two hundred & thirty pounds of Tobacco wch to him he oweth & unjustly Detein̄eth

And whereupon the said Garrat Vanswearingen by Kenelm Chiseldine his Attorney saith that whereas the said Cornelius the 11th day of March in the yeare 1673. did binde himself his heirs Executors & Admrs to pay or Cause to be payd unto ye said Garrat his heires Executors and Admrs the full and Just Quantity of twelve hundred and thirty pounds of Tobacco to be payd on the Tenth day of Octobr next Ensueing Notwthstanding wch the said Cornelius the said sum̄e of Twelve hundred and thirty pounds of Tobacco according to the Tenor of his bill hath not payd though often Required but the same to pay Denyes to the Damage of the said Garrat Two Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said Cornelius Steuart by George Parker his Attorney cometh & Defendeth the force and injury when &c & prayeth liberty of Speaking thereunto untill the first day of the next Provincial Cort and the same day is given to both ptyes.

At wch day that is to say the 12th day of November in ye 42th yeare of ye Dominion of Caecilius &c Annoqꝫ Domini 1673. Came the said Garrat by Kenelm Chiseldine his Attorney and offered himself agt the said Cornelius of and upon the prmises and the said Cornelius appeared not but made Default wherefore It is Considered by the Cort that the said Garrat Recover agt the said Cornelius aswell the sd sum̄e of Twelve hundred and thirty pounds of Tobacco his debt aforesayd as also the sum̄e of   pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Cornelius in mercy &c.

Thomas Dawborne
agt
John Cumber

Christopher Andrewes
agt
Robert Chapman

These two Causes upon writs of Error are by Consent of Attorneys of both sides continued untill the next Cort.

Kenelm Chiseldyne
ag^{t}
Cornelius Steuart

Liber M M
p. 105

Cornelius Steuart late of Ann Arundell County otherwise called Cornelius Steuart of Baltamore County in the Province of Maryland by writ of priviledge was attached to answere unto Kenelm Chiseldyne one of the Attornyes of this Cor^{t} according to the libertyes and priviledges &c in a plea that he Render unto him the sum̃e of fifteene hundred pounds of Tobacco w^{ch} to him he oweth & unjustly Deteineth &c.

And whereupon the said Kenelm in his pp pson saith that whereas the said Cornelius the Second day of October in the yeare 1671 by his certeine writing obligatory sealed wth the Seale of the said Cornelius and here in Co^{rt} pduced, whose date is the day and yeare abovewritten did acknowledge himself to owe and stand indebted unto the said Kenelm the sum̃e of fifteene hundred pounds of good Marchantable Tobacco and Casque to be payd to the said Kenelm his heires Executo^{rs} Adm^{rs} or Assignes upon Demaund and to the paym^{t} of the same did binde himself his heires Executo^{rs} and Adm^{rs} firmly by these p^{r}sents Notwithstanding w^{ch} the said Cornelius the said sum̃e of fifteene hundred pounds of Tobacco according to the Teno^{r} of his said bill hath not payd though often Required but the same to pay Denyes to the Damage of the said Kenelm Two thowsand pounds of Tobacco and thereupon he bringes his suite.

And the said Cornelius by George Parker his Attorney cometh & Defendeth the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^{rt} and the same day is given to both ptyes.

At w^{ch}day that is to say the 12th day of Novemƀ in the 42th yeare of y^{e} Dominion of Caecilius &c Annoqȝ Domini 1673. came the said Kenelm Chiseldyne in his pp pson and offered himself ag^{t} the said Cornelius of and upon the p^{r}mises and the said Cornelius appeared not but made Default wherefore it is considered by the Co^{rt} here that the said Kenelm Recover ag^{t} the said Cornelius Stewart aswell the said sum̃e of fifteene hundred pounds of Tobacco his Debt aforesayd as also the sum̃e of pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Cornelius in mercy &c.

Philip Udall
ag^{t}
Henry Mitchell

Henry Mitchell late of the Clifts in Calvert County planter otherwise called Henry Mitchell in Maryland of Calvert County was sum̃oned to answere unto Philip Udall of a plea that he Render unto him the Just and full Sum̃e of Three thowsand pounds of good sound bright Tobacco & Casque according to content w^{ch} to him he oweth & from him unjustly Deteynes.

And whereupon the said Philip by George Parker his Attorney

Liber M M saith that whereas the said Henry Mitchell the 16th day of Novemƀ 1668 by his certeine bill or writing obligatory Sealed with the seale of y^{e} said Henry & here in Co^{rt} p̄duced whose date is the day and yeare first abovewritten did bynde himself his heires Executo^{rs} Adm^{rs} or assignes to pay unto the said Philip Udall of fflushing his heires Executo^{rs} Adm^{rs} & assignes the full & Just sum̄e of 3000^{ł} p. 106 of good sound bright Tobacco and Casque according to content and furthermore the said Henry Mitchell did firmly binde himself his heires Executo^{rs} Administrato^{rs} and assignes for to transporte the aforesayd sum̄e of Tobacco to New Yorke and for to pay the freight of the Tobacco and also to Runn the Danger of the Sea, that is to say if the ship should be cast away and also the aforesayd Mitchell did Engage himself to Deliver the said sum̄e of Tobacco and Caske at the Porte aforesayd and Did Engage himself to send the Tobacco by M^{r} Hilliard the Tenth day of November next Ensueing the date thereof Notwithstanding the said Henry the said sum̄e of 3000^{ł} Tob hath not payd and Delivered to him the said Philip though often Required but the same to pay & Deliver hath Refused and still doth Refuse whereupon he saith that he is Damnifyed and hath losse to the vallue of Eight Thowsand pounds of Tobacco and thereupon he bringeth his suite

And the said Henry Mitchell by Vincent Lowe his Attorney cometh and Defendeth the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^{rt}, and the same Day is given to both ptyes.

At w^{ch} day that is to say the twelveth day of November in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673. came the aforesayd Philip Udall by George Parker his Attorney and offered himself ag^{t} the said Henry Mitchell of and upon the p^{r}mises and the said Henry Mitchell appeared not but made Default, wherefore it is considered by the Co^{rt} here that the said Philip Udall Recover ag^{t} the said Henry Mitchell aswell the said sum̄e of three thowsand pounds of Tobacco his debt aforesayd as also the sum̄e of Seven hundred and Seventeene pounds of Tobacco for his costs and Charges in this behalfe Expended and the said Henry Mitchell in m^{r}cy &c.

Henry Hosier & al̄ } ffrancis Kilborne late of Charles County gentl̄
ag^{t} } otherwise called ffrancis Kilborne of the Prov-
ffrancis Kilborne } ince of Maryland in Charles County planter was sum̄oned to answere unto Henry Hosier & John Staynes of a plea that he Render unto them or Either of them for the account of M^{r} W^{m} Bullock of the Citty of Bristol Marchant the full & Just sum̄e of Ten hundred thirty foure pounds of good Marchantable Tobacco and Casque to conteine y^{e} same w^{ch} to them he oweth & from them unjustly Deteynes.

And whereupon they the said Henry Hosier and John Staynes by George Parker their Attorney say that whereas the said ffrancis Kilborne the fourth day of May in the yeare of our Lord 1670 by his certeine bill or writing obligatory sealed with the seale of the said ffrancis and here in Co^{rt} pduced whose date is the day and yeare first abovewritten did binde himself his heires Executo^{rs} Adm^{rs} or assignes to pay or cause to be payd unto Henry Hosier and John Staynes of the Citty of Bristol Marchants or either of them or Either of their heires Executo^{rs} Adm^{rs} or assignes for the accompt of M^{r} William Bullen of the Citty of Bristol Marchant at or before the Tenth day of October next Ensueing the date thereof the full & Just sum̃e of Tenn hundred thirty foure pounds of good Marchantable Tobacco and Casque to Conteine the same within halfe a mile of some Convenient Landing place of the Clifts, The vallue of w^{ch} said Tobacco is already Received in goods Notwithstanding the said ffrancis the said sume of Tenn hundred thirty foure pounds of Tobacco to them the said Henry and John or to either of them hath not payd though often required but the same to pay hath Refused and still doth Refuse, whereupon they say they are Damnifyed and have losse to the value of fifteene hundred pounds of Tobacco, and thereupon they bring their suite Liber M M

p. 107

And the said ffrancis by Robert Carvile his Attorney cometh and Defendeth the force and injury when &c and as to six hundred and Twelve pounds of Tob p̄t of the said Debt of One Thowsand thirty foure pounds of Tobacco the said Robert sayes nothing in Debarring the said Henry of Judgm^{t} for the same agt the said ffrancis by w^{ch} the said Henry Remaineth ag^{t} the said ffrancis thereupon undefended Therefore it is Considered by the Co^{rt} here that the said Henry have Judgem^{t} for the said six hundred and Twelve pounds of Tobacco debt and One hundred Seaventy & Two pounds of Tobacco costs of suite, and the said ffrancis in mercy &^{c}.

John Morecroft
ag^{t}
Hugh Oneale
John Cooper
ag^{t}
Mary Pine
Thomas Gannt
ag^{t}
ffrancis Gunby &
Mathew Smith

In these three Causes the Seu^{r}all p^{lts} Gave the Respective Defend^{ts} Rule to plead by Thursday morning or Judg^{t} to be awarded ag^{t} them by Default, the said Defend^{ts} put in their seu^{r}all pleas in time wherefore the said Causes are continued untill the next Co^{rt}.

Richard Moy
ag^{t}
John Eason

John Eason late of Talbot County otherwise called John Eason of the County of Talbot in the Province of Maryland gentl̄ was sumōned to answere unto

Richard Moy of a plea that he Render unto him five hundred thirty and five pounds of Tobacco w^ch^ to him he oweth and unjustly Deteineth &c

And whereupon the said Richard by Robert Carvile his Attorney saith that whereas the said John Eason the Twelveth day of Aprill 1672 by his bill obligatory sealed with the seale of the said John Eason and here in Co^rt^ p̄duced, whose date is the day and yeare abovesd did acknowledge himself to be holden and firmly bounden unto the said Richard Moy in the Just & full sum̄e of five hundred thirty & five pounds of good sound Marchantable Tobacco and Casque to be payd to the said Richard upon Demaund in some Convenient place in the County aforesayd Yet notwithstanding the said John though often thereunto Required the said sum̄e of five hundred thirty five pounds of Tobacco to him the said Richard hath not hitherto payd but the same to pay doth Deny & Refuse whereupon he saith he is Damnifyed and hath losse to the vallue of One Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said John Eason by Vincent Low his Attorney cometh p. 108 and Defendeth y^e^ force and injury when &c & prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^rt^ and the same day is given to both ptyes.

At w^ch^ day that is to say the twelveth day of November in the 42^th^ yeare of the Dominion of Caecilius &c Annoq̧ Domini 1673. came the aforesayd Richard Moy by Robert Carvile his Attorney and offered himself ag^t^ the said John Eason of and upon the p^r^mises and the said John Eason came not but made default wherefore it is considered by the Co^rt^ here that the said John Eason have Judgem^t^ awarded ag^t^ him by Default and that the said Richard Moy Recover ag^t^ the said John Eason aswell the said sume of five hundred and thirty five pounds of Tobacco his debt aforesayd as also the sum̄e of two hundred ninty and nine pounds of Tobacco for his costs and Charges in this behalfe Expended and the said John in mercy &c

Job Walton ag^t^ John Brookes } John Brookes late of Dorchester County otherwise called John Brookes of Dorset County in the Province of Maryland Chirurgion was sum̄oned to answere unto Job Walton of a plea that he Rend^r^ unto him 1730^l^ Tob w^ch^ to him he oweth & unjustly Deteineth &c

And whereupon the said Job by John Morecroft his Attorney saith that whereas the said John the 19^th^ day of December in the yeare 1670 by his certeine bill obligatory sealed with the seale of the said John w^ch^ the said Job here in Co^rt^ bringeth whose date is y^e^ same day and yeare aforesayd did binde himself his heirs Executo^rs^ & Adm^rs^ to pay or cause to be payd to the aforesaid Job Walton his heires Executo^rs^ Adm^rs^ or assignes the full and Just sume of Seaventeene hundred & thirty pounds of good sound Marchant [able] leafe Tobacco in Casque due to be pd upon Demaund with Conveniency in Dorset County Notwthstanding the aforesd John though often thereunto Required to wit the day of the said sume of Seaventeene hundred & thirty pounds of Tobacco to the sd Job he hath not as yet pd but the same hitherto hath Denyed to pay and as yet denyeth whereupon he saith he is Damnifyed and hath losse to the vallue of three Thowsand pounds of Tobacco and thereupon he bringeth his suite. Liber M M

And the said John Brookes by Robert Carvile his Attorney cometh and defendeth the force & injury when &c and as to the said Debt of seaventeene hundred & thirty pounds of Tobacco the said Robert sayeth nothing in Debarring the said Job of Judgmt for the same agt the said John Brookes by wch the said Job remaineth agt the said John thereupon undefended. wherefore it is considered by the Cort here that the said Job Walton Recover agt the said John Brookes aswell the said sum of Seaventeene hundred and thirty pounds of Tobacco his Debt aforesayd as also the sume of pounds of Tobacco for his costs and Charges in this behalfe Expended and the said John in mercy &c

Arnold Elzey
agt
Richard Whittey

The plt having filed no Declaration the Defendt craved a non suite wherefore ordered by the Cort that a non suite be awarded agt him It is therefore considered here that the said Richard Whittey Recover agt the said Arnold Elzey the sum of pounds of Tobacco for his costs and Charges in this behalfe causelesly Expended and that the said Arnold take no benefit by his said writ and that the said Richard goe thereof wthout day and that the said Arnold be in mercy for his false complaint.

Garrat Vanswearingen
agt
Henry Mitchell

Henry Mitchell late of Calvert County otherwise called Henry Mitchell of Calvert County planter was sumoned to answere unto Garrat Vansweringen Admr of ye goods & Chattells of Wm Thelowell deceased in a plea that he rendr unto him the sume of 1200l of Tob wch from him he unjustly Deteineth p. 109

And whereupon the said Garrat Vansweringen by Kenelm Chiseldine his Attorney saith that whereas the said Henry upon the 26th day of December in the yeare of our Lord 1668 did by his certeine writing obligatory Sealed with the Seale of the said Henry here in Cort pduced whose date is the same day and yeare abovewritten did binde himself his heires Executors Admrs or assignes to pay or cause to be payd unto the said William Thelowell of the same County in

Liber M M Patuxent the full and Just Sum̄e of Twelve hundred pounds of good Marchantable Tobacco in Casque to be payd unto the said William his heires Executo^{rs} Administrato^{rs} or assignes at or upon the Tenth day of October next Ensueing, Notwithstanding w^{h} the said Henry Mitchell the said sum̄e of Twelve hundred pounds of Tobacco to him the said William in his life time nor to him the said Garrat to whom Admcōn of all and singuler the goods and Chattells w^{ch} were the said Williams at the time of his death since his death hath beene committed hath not payd according to the Teno^{r} of the said bill though often thereunto required but the same to pay hath Denyed and yet doth altogether Deny to the Damage of the said Garrat 2000^{l} Tob and thereupon he bringeth his suite and the said Garrat bringeth here in Co^{rt} the Letters of Admcōn to him graunted of all and singuler the goods and Chattells which were the said Williams at the time of his Death since his death to him comitted that it may appeare to the Co^{rt} here that he is Adm^{r} & hath Admcōn thereof.

And the said Henry Mitchell by Vincent Lowe his Attorney doth come & Defend the force & injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^{rt} and the same day is given to both ptyes.

At w^{ch} day that is to say the Twelveth day of November in the 42th yeare of y^{e} Dominion of Caecilius &c Annoqꝫ Domini 1673. came the aforesayd Garrat by Kenelm Chiseldine his Attorney and offered himself ag^{t} y^{e} sd Henry of & upon the p^{r}mises and the said Henry appeared not but made Default whefore it is Considered by the Co^{rt} here that the said Garrat Vanswearingen Recover ag^{t} y^{e} sd Henry Mitchell aswell the said sum̄e of Twelve hundred pounds of Tobacco as also y^{e} sum̄e of three hundred and eight pounds of Tobacco for his costs & Charges in this behalfe Expended & the said Henry in mercy &c.

Edward ffitzherbert
ag^{t}
James Lewis
} this Cause was Discontinued for want of prosecution.

Thomas Mathewes
ag^{t}
Thomas Wynn
} Thomas Mathewes complaineth ag^{t} Thomas Wynn Cryer of the provincial Co^{rt} in a plea of Debt according to the libertyes & priviledges &c

And whereupon the said Thomas Mathewes by Kenelm Chiseldine his Attorney saith that whereas the said Thomas Wynn the
p. 110 14th day of ffebruary in y^{e} yeare 1673. by his certeine writing obligatory sealed with the seale of the said Thomas and here in Court produced whose date is the day and yeare abovewritten did binde himself his heires Executo^{rs} Adm^{rs} or assignes to pay or Cause to be payd to the said Thomas Mathewes the full and Just sum̄e of three thowsand foure hundred & fifty two pounds of good Mar-

chantable Tobacco to be payd upon all Demaunds after the 10th day of October next Ensueing the date thereof at some Convenient place in St Maryes County, Notwithstanding w^{ch} the said Thomas Wynn though often thereunto Required the said sum̃e of three Thowsand foure hundred fifty two pounds of Tobacco according to the Teno^{r} of the said writing hath not payd but the same to pay altogether Denyes to the Damage of the said Thomas Mathewes 4000^{l} Tob. & thereupon he bringeth his suite. Liber M M

And the said Thomas Wynn by Samuell Cressy his Attorney cometh & Defendeth the force & injury when &c and the said Samuell saith that as to the said Debt of three thowsand foure hundred fifty two pounds of Tobacco he is not informed by the said Thomas his Client of any answere to be made thereunto, wherefore it is considered by the Co^{rt} here that as to the said three thowsand foure hundred fifty two pounds of Tobacco the said Thomas Mathewes Remaine ag^{t} y^{e} sd Thomas Wynn wholy undefend[ed] and that the said Thomas Mathewes Recover the same ag^{t} the said Thomas Wynn as also the sum̃e of pounds of Tobacco for his costs & Charges in this behalfe Expended & the said Thomas Wynn in mercy &c.

Joseph Sumner ag^{t} Tho Long
Ralph Ralligh ag^{t} Thomas Beach
Samuell Winslow ag^{t} John Bowles
The same ag^{t} The same
The same ag^{t} The same
W^{m} Barret ag^{t} Tho Howell & ux
W^{m} Wheately ag^{t} The same

The Respective Defend^{ts} appeare by their seu^{r}all Attorneys & imple untill the next Provincial Co^{rt}.

John Clemons ag^{t} John Roadway

The Sheriff having Retorned a Cepi, and y^{e} Deft not appearing by himself or Attorney it is by the Co^{rt}ordered the sheriff bring him next Co^{rt} or be amerced 40^{s}. p. 111

Liber M M

Demetrius Cartwright
ag^t
John Brookes
The same.

John England & Tho Jones
ag^t
Randall Revell
Roger Baker
ag^t
Richard Ladd
Demetrius Cartwright
ag^t
Henry Kircoven
John Ingram
ag^t
George Cowley
Richard Edelen
ag^t
James Thompson
The Seu^{r}all Defend^{ts} appeare by their Respective Attorneys and imple untill the next Provincial Co^{rt}.

Richard Moy
ag^t
Curtis ffletcher
Curtis ffletcher late of St Maryes County otherwise called Curtis ffletcher of the County of St Maryes in the Province of Maryland gentl̄ was sum̃oned to answere unto Richard Moy of a plea that he Render to him five thowsand three hundred & Seaven pounds of Tobacco w^{ch} to him he oweth and unjustly Detenieth &c.

And whereupon the said Richard by Robert Carvile his Attorney saith that whereas the said Curtis ffletcher the 14th day of March in the yeare of our Lord 1672 by his certeine bill obligatory w^{ch} the said Richard with the seale of him the said ffletcher here in Court produces whose date is the same day & yeare abovewritten did acknowledge himself to be holden and firmly bound to the said Richard Moy in the Just sum̃e or quantity of five Thowsand three hundred and seaven pounds of good sound Marchantable Tobacco & Casque to be payd to the said Richard Moy his heirs Executo^{rs} Adm^{rs} or assignes in some Convenient place in the said County upon Demaund, To the which paym^t well & truly to be made he did binde himself his heirs Executo^{rs} and Adm^{rs} by those p^{r}sents Notwithstanding the said Curtis though often Demaunded the said sum̃e of 5307^l Tob and Casque as aforesayd to him the said Richard hath not as yet Rendred but the same hitherto he hath Denyed to pay and yet doth Deny whereupon he saith he is Damnifyed and hath losse to y^e vallue of seaven Thowsand pounds of Tobacco & thereupon he bringeth his suite.

And the said Curtis ffletcher in his pp pson cometh & Defendeth the force & Injury when &c and as to the said five thowsand three hundred & Seaven pounds of Tobacco the said Curtis in barre thereof nothing saith wherefore the said Curtis ffletcher remaines ag^{t} the said Richard Moy for the same wholy undefended It is therefore Considered by the Co^{rt} here that the said R^{d} Moy Recover ag^{t} the said Curtis ffletcher aswell the said sum̄e of five Thowsand three hundred & Seaven pounds of Tobacco & Casque his debt aforsd as also the sum̄e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended & the said Curtis in mercy &c. Liber M M p. 112

Richard Smith
ag^{t}
W^{m} Worgan
Tho Bland
ag^{t}
Thomas Gannt

The respective Defend^{ts} appeare by their Attornyes & imple untill the next Provinciall Co^{rt}.

Thomas Mountfort
ag^{t}
Samuell Hatton

eject^{mt}. M^{r} Bland appeares for the Defend^{t} & y^{e} cause continued untill y^{e} next Co^{rt}.

Thomas Bowdle
ag^{t}
Walter Carre

The Sheriff having Retorned a Cepi and the Defend^{t} not appearing by himself or Attorney ordered the Sheriff be amerced unlesse he appeare next Co^{rt}.

Philip Shapleigh
ag^{t}
John Steward
The same
ag^{t}
John Brookes
Raymond Stapleford
ag^{t}
John Balley

In these three Causes the Defend^{ts} appeare by their Respective Attornyes & imple untill the next Co^{rt}

Elizabeth Hiccoks servant unto Edward Skydmore of Ann Arundell County peticions this Co^{rt} that whereas she hath duly served four yeares her time y^{t} she was bound for to Cap^{t} Harwood, who was her first Master & sould her unto the said Skydmore yet the said Skydmore doth utterly Refuse to set her free, the said Elizabeth pduces a Certificate from John Saladine Deputy Reg^{r} of an office for Enrolling consents of servants in England & th[eir] agreem^{ts} with their Masters und^{r} the seale of the said office w^{ch} does certi[fye] that she & her first Master Harwood agreed that she

Liber M M should serve but fo[ure] yeares w^{ch} is now Expired The Co^{rt} having fully Examined the business doe adjudge that the said Elizabeth Hiccocks is free and Doe Discharge her from further Service to her sd M^{r} and that her said Master pay her Corne & Clothes accordingly.

p. 113 John Litchington
ag^{t}
Luke Gardner
The same
ag^{t}
The same
The Defend^{t} in these Two actions appeares by his attorney & imples untill the next Provincial Co^{rt}.

William Pritched of St Maryes County peticions this Co^{rt} that whereas his father John Pritchard of St Georges by vertu of a Patent bearing date y^{e} 7th of Aprill 1654 as may upon Record appeare in his life time possessed a parcell of land by the straytes in St Georges Creeke conteyning & layd out for three hundred and fifty acres more or lesse to w^{ch} sd Land yo^{r} pet^{r} humbly Craves y^{t} he may have yo^{r} Excllys writ of Mandamus whereby he may be found heire to the said Tract of land, and in Reguard yo^{r} pet^{r} by want of meanes is not otherwayes capacitated he humbly prayes he may be admitted to prosecute his Claime informa pauperis

The Court was graciously pleased to graunt his Request, and further doe assigne Kenelm Chiseldine one of the Attornyes of this Court to be of Councell for y^{e} sd Pritcherd.

Richard Gibbs
ag^{t}
William Bret
The same
ag^{t}
The same
The same
ag^{t}
The same
The Def^{t} in these three Causes appeares by his Attorney & imples untill y^{e} next Provincial Co^{rt}.

Robert Dunn of Kent County gentl Guardian of William Vaughan one of the Orphants of Robert Vaughan Deceased peticions this Co^{rt}, that whereas he was by this Co^{rt} appointed Guardian to y^{e} sd Orphant and also this Co^{rt} did ord^{r} that the said Orphants Estate should be Delivered into the hands of y^{e} sd Dunn yet notwithstanding Jeremiah Eaton of Kent County who married y^{e} mother of the said Orphant Deteines in his hands Tenn Thowsand pounds of Tobacco bequeathed as a legacy by Majo^{r} Ingram Deceased to y^{e} sd Orphant & also foure head of Cattle belonging to ye sd Orphant

& w^{ch} were left him by his father the sd Dunn Craves ord^{r} of this Co^{rt} for y^{e} same. Liber M M

The Court taking the p^{r}mises into their Serious Consideracon Doe ord^{r} that the Com^{rs} of Kent County Doe Examine the busines, and what they shall finde in the hands of the said Eaton belonging to the sd Orphant that they see Delivered into the hands of the said Dunn, and of their pceedings herein that they make Retorne to this Co^{rt}.

Elizabeth Thompson servant unto James Lewis peticions this Co^{rt} that she had Duly served her time & her Master refuses to set her free. p. 114

The wife of y^{e} sd Lewis appearing in Co^{rt} and having nothing to offer to y^{e} contrary ordered that the sd Elizabeth be free & y^{t} her sd Master pay her freedome Corne & Clothes according to act of Assembly in that case provided.

Walter Jefferys Servant unto James Lewis peticions this Co^{rt} that he had Duly Served his time and his Master refuses to set him free.

The Court making Examinacōn into the matter doe finde that the said Jefferys hath absented himself from his Masters service and Doe therefore adjudge him to serve y^{e} sd Lewis or his assignes seaven moneths from this day, and Doe also the sd Lewis provide him sufficient Dyat & Clothes in the meane time

Thomas Prat of Ann Arundell County peticions this Co^{rt} that whereas by vertu of a warrant of Resurvey he had Resurveyed for him by George Yates Deputy Surveyo^{r} of the said County a Parcell of land called Prats Choice, and the Certifficates of the said Yate of y^{e} Resurvey of y^{e} sd Land was by the said Yate Retorned to y^{e} office, and by y^{e} mistake of y^{e} sd Yates one line of y^{e} sd Land was left out of y^{e} sd Certifficate, as may appeare by another coppy of y^{e} sd Certifficate und^{r} the hand of y^{e} sd Yates and to the peticion annexed. he humbly prayes that the former Certifficate may be vacated upon Record, and that the said Coppy to y^{e} sd peticion annexed may be Entred & that he may have Patent according to the same, w^{ch} the Co^{rt} ordered accordingly.

John Browne ag^{t} George Beckwith	The Seu^{r}all Defend^{ts} appeare by their Respective Attornyes and imple untill y^{e} next Provincial Co^{rt}.
The same ag^{t} Thomas Gannt	
John Charlesworth ag^{t} Mathias Decosta	

Liber M M

John Shankes
ag^{t}
John Blackiston

John Blakiston late of St Maryes County gentl̄ was attached to answere unto John Shanks wherefore by force and Armes one Tract of land called by the name of Langworth Pointe and Thomas Donnes Neck Contey[ning] three hundred acres of land in St Maryes County w^{c}h Nehemiah Blackiston and Elizabeth his wife to the said John Shankes did Demise for a Terme w^{ch} is not yet paste did Enter and him ye sd John Shankes from his farme aforesayd did Eject and other Enormityes to him there did Doe to y^{e} greate Damage of him y^{e} sd John Shankes &c. Contrary to y^{e} peace &c.

And whereupon the said John Shankes by Kenelm Chiseldine his Attorney Complaineth that whereas the said Nehemiah and Elizabeth his wife the sixth of June in the yeare of our Lord 1672 had p. 115 Demised to y^{e} sd John Shankes y^{e} Tenem^{ts} aforesayd with the appurtenances to have and to hould to the said John Shankes and his assignes from the ffeaste of St Michael the Arch Angell last past to the End and Terme of five yeares from thence next Ensueing fully to be Compleate and Ended by vertu of w^{ch} Demise the said John Shankes into the Tenem^{ts} aforesayd wth y^{e} appurtenances did Enter and was thereof possessed and so thereof being possessed the said John Blackiston afterwards the said sixth day of July in the 40th yeare of the Dominion of Caecilius &c aforesd into the Tenem^{ts} aforesayd with the appurtenances did enter with force and Armes which the said Nehemiah and Elizabeth his wife to y^{e} said John Shanks in forme aforesd had Demised for the Terme aforesayd w^{ch} is not yet past, and him the said John Shankes from his farme aforesayd Did Eject and other Enormityes to him there did Doe to the greate Damage of him the said John Shankes & Contrary to the peace &c whereupon he saith he hath Damage and is the worse to the vallue of Twelve Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said John Blackiston by Robert Carvile his Attorney cometh & Defendeth the force & injury &c and doth in open Co^{rt} acknowledge the service of the Declaration and thereupon it is this day ordered by the assent of Kenelm Chiseldine Attorney for y^{e} p^{lt} and Robert Carvile Attorney for y^{e} Defend^{t} Edward Connery that the said Edward shalbe admitted defend^{t} who shall appeare wthout Delay by his Attorney aforesayd and shall Receive a Declaration & shall pleade the gen^{r}all issue thereunto this Co^{rt} and to the tryall thereof the said Edward to appeare in his proper pson or by his Attorney and shall acknowledge the Demise Entry & actuall Expulsion, or in Default thereof Judg^{t} shalbe entred ag^{t} y^{e} Defend^{t} John Blackiston Casuall Ejecto^{r} but any psecution ag^{t} him shalbe spared untill the said Edward shall make Default in the p^{r}mises And by the Consent of the Councell it is further ordered that the said Edward shall take no advantage ag^{t} the p^{lt} for his not psecuting upon the tryall occasioned by his Default but the sd Edward shall pay to ye plt the Costs by the Cort to be taxed thereupon and it is further ordered that the lessor plt shalbe Chargeable wth ye paymt of the Defendts cost by the Cort allowed by any meanes taxed & adjudged. Liber M M

The Court Adjourned untill the Tenth day of ffebruary next.

Know all men by these prsents that I John Tonge and Elizabeth my wife of the Parish of st Thomas Southworke in the County of Surry Cityzon & merchant Taylor of London haue had and received of Walter Beane of the same pish & County afforesaid. The Sum̄e of fourescore & Tenn pounds of good & Lawfull mony of England. being the full sum̄e of the psonall estate of Ralph Beane late husband of the abouesaid Elizabeth Deceased which he had & was posessed of in Virginia which said Sum̄e the said Ralph Beane did giue by his last will and Testamt unto his Daughter Sarah Beane, And I the sayd John Tonge & Elizabeth my wife doe fully & Clearely acquitt And discharge for us our Executrs Adminrs and eury of them p. 116
by those prsents, the said walter Beane his Executrs Admm̄rs. & Assignes of & from the said Sum̄e of ffourescore & Tenn pounds. In witnesse whereof we haue hereunto set our hands & seales the ninth day of August in the yeare of our Lord God One Thowsand six hundred Fiftie eight,

Sealed & Deliured in the— John Tonge seale
prsence of Joseph ward: mrke. I Elizab̄ Tonge seale
John Barwick. her M marke
Robt Lavender. ser

Mr Carvile
I Being Trustee for the Estate of Capt. John Quigley Doe Desire you put in suit A bill of 5000l Tob̄. entred into by William Berry & James Berry to the said Mr Quigley and for yor Soe doing this shall be yor Warrant. Witnesse my hand this 16th day of January. Anno 1673. Witt. Calvert.

Know all men by these prsents That I luke Gardner Doe Appoint Robert Carvile To be my Attorny to Appeare for me in the Provinciall Court at the suit of John Litchington in Two Accōns there Comenced against him and to Take A Coppie of the Declarations and to plead therunto the Genrall Issue or such other plea as he shall thinke Convenient. And for so doeing this shalbe his sufficient warrant as Witnes my hand this 4th day of December. 1673
Testis ffrancis Knott. Luke Gardner.

I Doe Appoint & Constitute Robert Carvile of St Maryes to be my Attorny To Appeare for me in the Provll Court in Three seurall

Liber M M Accōns. Comenced against me by Sam^{ll} Winslow in pleas of Trespasse upon the case on the case And to put in such pleas to the seu^{r}all Declarations as he shall thinke Convenyent. And for his so doing this shall be his sufficient Warran^{t}. as witnesse my hand this 4th day of Decemb^{r} 1673.

John Bowles sealed
his **B.** marke

Witnes Thomas Stone.
Witt. Gater.

p. 117 This Indenture made the nineteenth day of October in the 40th yeare of the Dominion of Caecilius absolute Lord & Prop^{try} of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c. And in the yeare of o^{r} Lord god One Thowsand six hundred seaventy Two. Betweene Hannah Armstrong of Boston in New England Widdow (the Relict & sole Executive of Mathew Armstrong late of Boston in New England Marrino^{r} deceađ) of the one pt. And Stephen Bond of Som^{r}set County in the Province of Maryland Marryno^{r} of the other pt Witnesseth That whereas the said Lord Baltemore by his Deed of Graunt under the greate seale used in the said Province of maryland for Granting of Land there beareing date at s^{t} maryes the Twentieth day of June in the 36th yeare of his Lordships Dominion ou^{r} the Province of maryland Annoqȝ Dom 1667. Did for the Consideracōn therein mencōned Grant unto Mathew Armstrong Two pcells of Land. Vizt, The one called (Armstrongs Purchase) lyeing and being on the North side of Anemesax Riu^{r} in Somerset County Beginning at A marked tree standing by the River side Devideing it from the Land of John Rhoades from thence with a lyne drawne Northeast To a Tree marked with sixteene Notches deviding it from the Land of John Rhoads from thence ruñing Easterly the breadth of ninety Two Pole. and from thence with a lyne drawne southwest to a marked tree standing by the Riuer side and from thence ruñing by the side of the Mayne Riu^{r} Westerly to the first bounder. Conteineing and layd out for Two hundred Acres more or lesse. And also One other pcell of Land called Armstrongs Lott, lyeing on the north side of Anemessax Riu^{r} afforesd. Begining at a marked tree standing by the said Riuer side deviding it from the abouemencōned p̄cell of Land and from thence ruñing by the side of the Riuer with seu^{r}all Angles to the mouth of A Creeke called the Northeast branch. And from thence Ruñing up the Westermost side of the said Creeke for lenghth Three hundred & seauenty Pole and from thence ruñing Westerly to a marked Tree deviding it from the aboue mencōned pcell of Land. and from thence with a Line drawne south west to y^{e} first bound^{r} Conteineing and layd out for Three hundred Acres of Land in all five hundred Acres, To haue and to hold the same to him the sayd Mathew Armstrong and to his heyres and assignes for euer und^{r} such Rents Covenants & Limitations & Exceptions as in &

by the said Deed of Graunt recourse being thereunto had more fully Liber M M & more at Large it doth & may appeare Now This Indenture further Witnesseth. That the abouenamed Hannah Armstrong for the Consideracon of the said Stephen Bonds paying for the one halfe of surveying and makeing good Rights for the said Land and paying halfe of the Rent to Michaell masse last past. whereof and wherewith the said Hannah Armstrong doth Acknowledge her selfe to be ffully and wholly Satisfied & paid. And doth of and for euery pt & pcell thereof. Acquitt & discharge the said Stephen Bond His heyres Executrs & Administratrs by these prsents. Hath giuen p. 118 granted Bargained & sold feoffed & Confirmed. And doe by these prsents fully and Absolutly Giue graunt Allienate bargaine sell enfeoffe and Confirme unto the said Stephen Bond and to his heyres and assignes for eur A part or pcell taken out of the said Two pcells of Land called Armstrongs Purchase and Armstrongs Lott) now called (the Lower part) and is layd out as followeth Begining at A sasafrax stake standing at the mouth of A Creeke or branch called the Northeast branch and from the afforesd Sasafrax stake ruñing into the woods by a lyne of market Trees Northwest & by North to the devisional lyne that parts the aforesd Lands from A pcell of Land called Sallisbury formrly in the Occupation of John Rhodes. and from thence runing downe the said Devisionall lyne of market Trees south west To A sasafrax stake standing by the side of Annamesax Creeke or Riur and from thence ruñing up the side of the said Riuer or Creeke to the abouesaid sasafrax stake standing at the mouth of the northeast branch which is the first boundr layd out for Two hundred & fifty acres more or lesse. Togeather also with all & singuler the Roomes Cellers Solletts Halls Parlours Chambers houses houseings Courts Yards Closes ffences woods Underwoods, Timbers or Timber-like Trees. and other Hereditamts Emollumts & Appurtenances wtsoever unto the sd pcell of Land & prmisses called the Lower pt or any of them Appurtenent belonging or apperteneing, or had used Demised or Occupied as part pcell or member thereof or as thereunto or to any part thereof belonging or Apperteineing and the reversion or reversions remayndr and remayndrs and eury of them To haue and to hould the said pcell of Land called the Lower pt, and all and singuler other the prmisses hereby mencõned to be Bargained & sold and eury of them with their and eury of their Appurtenañces and the Reversion and remayndrs of them & eury of them upon him the said Stephen Bond And to the heyres and Assignes of the said Stephen Bond for eur. To the onely prop use and behoofe of the said Stephen Bond and to the heyres & assignes of the said Stephen Bond for euer. without any Mortgage Condition Redemption use or Limitation to recall Alter Charge or determyne the same To be holden of the said Lord Proprietary for & under the Rents and services of the said Orriginall

Liber M M p. 119 Deed Of Graunt reserued. And The said Hannah Armstrong the said parcell of Land with the Appurtenañces before by these presents bargained & sold unto him the said Stephen Bond Doe for eu^{r}. freely Acquit & discharge the same of & from all and all manner of former and other Bargaines grants sales forfeitures Dowries Joyntures surrend^{rs} and of & from all other Tilles incumbrances Claimes & demands of her the said Hannah Armstrong her heyres Executo^{rs} or Assignes. And against all & eu^{r}y other p̄son or p̄sons whatsoeu^{r} Claimeing from by or und^{r} the said Hanah Armstrong shall & will foreu^{r} hereafter Warrant and defend by these p^{r}sents. Also the said Hanah Armstrong for her selfe her heyres Execut^{rs} & Administrat^{rs} Doe Covenant Graunt & promise from tyme to tyme and at all times for & dureing the space of fiue yeares next ensueing the date hereof at and upon the request and at the Cost & charges in Law of the said Stephen Bond his heyres or assignes Make doe pforme Acknowledge suffer or cause to be made done pformed and Acknowledged all & eu^{r}y such further Lawfull and Reasonable Act & Acts Assurances & Conveyances in the Law for the better & sure & more pfect sure makeing and Conveying all and singuler the before hereby granted or mencōned to be granted p^{r}misses, with there & eu^{r}y of there right Members and Appurtenances to the onely proper use & behoofe of the said Stephen Bond his heyres and assignes for eu^{r} as by the said Stephen Bond his heyres or assignes or by his or their Councell Learned in the Law shall be devised advised or required in Confirmac̄on & full Assureance of the trueth abouewritten the said Hanah Armstrong hath set to her hand and fixed her seale giueing Deed and state with full and Peaceable peaceable Possession by Livery of Seizin of & in the abouementioned p^{r}misses with the Appurtenances thereunto belonging as the said Hanah Armstrongs Subscription fixing her Seale and the witnesses Subscriptions as Testemonyes doe Manifest the day and yeare abouewritten

Signed Sealed & Deliu^{r}ed. Hanah Armstrong seale
in the p^{r}sence of. her **H. A.** Marke
Joshua Hobart.
Sampson Wateres. (Underneath the foregoing Deed was thus writen Hanah Armstrong Widdow & Relict to the late Mathew Armstrong appeared the nineteenth day of October 1672, and Owned this Instrument to be her Act & Deed. Done in Boston in New England: Before me John Leverett. Dep̄ Go^{r}

p. 120 On the backside of the foregoing Deed was also thus written as follows Sampson Wateres within mencōned who is A Wittnesse To this Deed did take his Oath before me the Twenty Seauenth day of January One Thowsand six hundred seauenty two. That it was his hand. And he saw the Acknowledgem^{t} thereof,

Sworne before me the day & yeare
abouewritten Geo: Johnson

This Indenture made the day of in Liber M M the Two & fortieth yeare of the Dominion of Caecilius Absolute Lord & Proprietary of this Province of Maryland Betweene John Gittings of Calvert County in the Province afforesaid of the one pt. And Abraham Rhodes of the County of S^t maryes in the Province afforesd Carpenter of the other pt Witnesseth That the said John Gittings for and in Consideration of the Sum̄e of Seaven Thowsand pownds of good sound merchantable Tob̄ & caske To him in hand at and before the Ensealeing & Deliuery of these p^{r}sents by the said Abraham Rhodes well & truly paid. the Recept whereof the said John Gittings doth hereby Acknowledge and himselfe therewith fully Sattiffied & paid and thereof and of eu^{r}y pt & pcell thereof doth Clearly Acquitt Exonerate & discharge the said Abraham Roades his heyres Executo^{rs} & Admin̄^{rs} for euer by these p^{r}sents. Hath Giuen granted Aliened Bargained sold Enfeoffed & Confirmed and by these p^{r}sents doth fully Clearely & absolutly Giue grant Bargaine sell alien Enfeoffe & Confirme unto the said Abraham Roades his heyres and Assignes for eu^r. All that pcell of Land called ffosbury lyeing in S^t maryes County and Joyneing to Woolsley Manno^r in the said County lately Surveyd for the Hon^{rble} Philip Calvert esqū^{re} Beginning at a marked Oake on the southerne side of Killingbeck Brooke. ouer against the bound tree of Woolsley Manno^r aforesd, and ruñing by a lyne of marked Trees East south East into the woods for the length of Three hundred & Thirty pches to a marked oake standing by A branch of the ffresh Creeke. and from thence by a lyne of Marked trees North north East for the length of Three hundred & Twenty perches to a marked oake, from thence by a lyne of marked trees west north west for the length of Two hundred pches to the head of Killingbeck Brooke. to a marked oake. and from the said Oake Keeping along the said Brooke to the p. 121 first marked Tree, Conteyneing ffoure hundred & Thirty Acres more or lesse. with all & singuler its Rights Members and Appurtenc̄es Togeather with all houses Ediffices Buildings Lands Tenem^{ts}. Meadowes Pastures woods underwoods proffits Comodities and Appurtenc̄es whatsoeu^r to the said Mesuage & p^{r}misses or to any part or pcell of them belonging or in any wise Apperteineing. and also all the Estate Right Title interest use posession property Claime and demand whatsoeu^r of him the said John Gittings of in or to the same. And all Deedes wrytings Euidences Charters Escripts & minum^{ts} whatsoeuer Touching or Concerneing the p^{r}misses or any part or pcell of them To haue and to hold the said ffree hold and Plantation and all & Singuler other the p^{r}misses hereby Granted bargained & sold or mencōned & intended to be hereby granted bargained & sold with their & eu^{r}y of their Rights members & Appurteñces whatsoeu^r unto him the said Abraham Rhodes his heyres and assignes. To the only proper use & behoofe of the said Abraham

Liber M M Roades his heyres & assignes for eur, And the said John Gittings for himselfe his heyres Executrs and Admin̄rs. The said freehold & Plantation and all & singuler other the prmisses before granted Bargained & sold with the Appurtenc̄es unto the said Abraham Roads & his heyres to the onely proper use and behoofe of the said Abraham Roades his heyres and assignes for eur. against him the said John Gittings his heyres & assignes and all and eury other pson & psons whatsoeur Lawfully Claimeing by from or undr him them or any of them shall and will Warrant and for euer defend by these prsents And ffurther the said John Gittings for himselfe his heyres Executrs and Admm̄rs. doth Covenant to and with the said Abraham Roades his heyres and assignes and eury of them that he the said John Gittings his heyres & Assignes & eury of them and all and eury other pson & psons and their heyres Lawfully haueing or Claymeing or Rightfully prtending to haue or which hereafter shall or may Lawfully haue or Clayme or Rightfully prtend to haue any estate Right Title interest or demand into or out of the prmisses or any pt or pcell of them by from or undr the said John Gittings his heyres or Assignes shall & will from tyme to tyme and at all tymes hereafter upon the Reasonable Request and at the cost and Charges in the Law of the said Abraham Roades his heyres or assignes Make doe pforme Acknowledge Leauy Execute & suffer or cause to be made done pformed Acknowledged Leauyed Executed & suffered all & eury such further & Lawfull Reasonable Act & Acts Thing & Things Device & Devises Assurance & Assurances & Conveyances in p. 122 the Law whatsoeur. for the further and better And more pfect Assureance surety sure makeing and Conteying of all & singuler the before hereby granted or menconed to be granted prmisses with there & eury of their Rights Members and Appurtenc̄es unto the said Abraham Roades his heyres and assignes for eur be it by fine or ffines. ffeofmt. or ffeofmts. Deed or Deedes. Recorded or not Recorded the Recording of these prsents. Release or Confirmac̄on or by all & eury or any the wayes or meanes afforesd, or by any other wayes or meanes whatsoeuer as by the said Abraham Roades his heyres or assignes. or by his or their Councell Learned in the Lawes shall be reasonably Devised Advised or Required. In wittnes whereof the said John Gittings hath to this prsent Indenture set his hand & seale the day and yeare first abouewritten. Annoq; Dom̄. 1673

John Gittings seale. & Margaret Gittings sealed

On the backside of the beforegoing Deed was written as fol̄.

Signed Sealed & Deliured in the
prsence of Rich. Smith. Tho. Gantt.
Henry Hough Chys

Memorad̄ this 13th day of Novembr 1673. Came before us John Gittings and Acknowledged the Land within mencōed of ffoure hundred & Thirty Acres. To be the Right of the within mencond̄

Abraham Roades. To haue and to hold To him the said Roades his heyres & assignes for ever Liber M M

Philip Calvert
Baker Brooke

This Indenture made the Thirteenth day of ffebruary in the xxxxiith yeare of the Dominion of the Right Hon^ble Caecilius absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &c. Betweene Thomas Carleton High Sheriffe of Baltemore County in the said Province of Maryland gen^l of the One pt, And James Williams of Patuxent Riu^r in Calvert County in the afforesaid Province of Maryland plant^r of the other pt wittnesseth, That whereas The said Right Hon^ble Lord Proprietary by his Deed of Grant or Patent und^r his Greate Seale used in the said Province of Maryland for Granting Lands their bearing Date At the Citty of Saint Maryes The Tweluth day of Aprill. in p. 123 the fortieth yeare of His Lord^pps Dominion ouer the sayd Province of Maryland Annoq̧ Dom One Thowsand six hundred seaventy & two. Did for the Consideracōn therein Mencōned Grant unto him the said Thomas Carleton All that parcell of Land called Churtsey, lyeing in Calvert County on the East side of the mayne branch of the Devideing Creeke of Patuxent Riuer and Begining at A bounded Popler by the Side of the said branch the said Popler being the north west Corner tree of A parcell of Land called Perry wood form^rly laid out for Cap^t Richard Perry of the sd Calvert County. and from thence bounded by the said Land & ruñing East for foure hundred & Twenty perches to a bounded white oake of the said Land on the east side of A meadow. bounded on the East by a lyne drawne North for Three hundred Eight & one pches. to a bounded Popler. bounded on the North by a lyne drawne West to the mayne branch afforesaid and by the said Mayne branch to the first bound tree, Conteineing and then laid out for One Thowsand Acres more or lesse Togeather with all Rights proffits & Benefits thereunto belonging Royall Mynes excepted To haue & to hold the same to him the said Thomas Carleton his heyres & assignes for eu^r To be holden of his Lordpp̄ and his heyres as of his Lordpp̄s Manno^r of Calverton in free and Comon Soccage by ffealty for all Maner of services Under such Rents Covenants Conditions Limitations & Excepc̄ons as in & by the said Recited Deed of Grant Relation being thereunto had more at large it doth & may Appeare, Now This Indenture further Witnesseth That the said Thomas Carleton for & in Consideration of the full sum̃e & Just Quantity of Twelue Thowsand pounds of good sound well Condicōned Merchantable Tobacco & casque to Conteine the same To him in hand well & truly paid and secured to be paid by the said James Williams before the insealeing and Delivery hereof the Recept whereof he doth hereby Acknowl-

Liber M M edge and thereof and of eu^{r}y pt thereof he doth Accquitt and discharge the said James Williams his Execut^{r} & Administrat^{rs} for euer by these p^{r}sents. Hath Giuen Granted Bargained Alliened sold enfeoffed and Confirmed, And by these presents Doth fully Clearely and Absolutely Giue Grant Bargaine Allien sell enffeoffe and Confirme unto the said James Wiƚƚms his heyres & Assignes for eu^{r}, All
p. 124 that pcell of Land afforesaid Called Churtsey. lyeing in Calvert County afforesd Now in the Tenure or Occupation of The said Thomas Carleton or his Assignee or Assignes. Conteyneing and now layd out for One Thowsand Acres of land little more or lesse. Together with all Rights proffits & Benefits Thereunto belonging or in any wise ap̄teining Royall mynes excepted. And all Timber and Timber Trees Wayes passages Woods underwoods Rents Easements Comodities Hereditam^{ts} and Appurtenc̄es whatsoeu^{r} to the said pcell of Land belonging or in any wise Apperteineing Accepted reputed taken demised used Occupied or enjoyed as part pcell or member thereof or of any part thereof. And the Reversion & Reversions Remaynder & Remaynders Rents Issues and proffits whatsoeu^{r} of all & singuler the before mencōned pcell of Land to be hereby bargained p^{r}misses with the Appurtenañces and eu^{r}y part and parcell thereof. And also all the estate Right Title interest Possession use property inheritance Claime & demand whatsoeu^{r} of him the said Thomas Carleton and Elizabeth his now wife of in or to the afforesd mencōned To be hereby bargained p^{r}mises with the Appurtences or any pt thereof. Togeather with all & singuler the grants Patents wrytings Deedes Evidences Chirographies of ffines Exemplificacōns of Recou^{r}yes Escripts boundaryes & minum^{ts} whatsoeuer Touching or Concerneing the said pcell of Land & p^{r}misses or any pt or pcell thereof To haue and To hold the sd parcell of Land and all & singuler other the p^{r}misses herein before menc̄oned to be giuen granted Alliened sold Enfeoffed & Confirmed and eu^{r}y of them & eu^{r}y pt and pcell thereof with the Appurtenc̄es unto the said James Williams his heyres and assignes To the Sole only and prop use & behoofe of the said James Williams his heyres and Assignes for eu^{r}. And the said Thomas Carleton for himselfe his heyres Execut^{rs} Adm^{rs} & assignes and for eu^{r}y of them doth Covenant promise & Graunt to & with the said James Williams his heyres & assignes by these p^{r}sents that the said Thomas Carleton his heyres Executo^{rs} Adm^{rs} and Assignes all and singuler the aforenconed to be here by Bargained p^{r}misses with the Appurtenañces and eu^{r}y pt and pcell thereof unto the said James williams his heyres and assignes To & for his and there Owne proper
p. 125 use & behoofe as afforesaid. from and against him The said Thomas Carleton his heyres Executo^{rs} Adm^{rs} & Assignes and Elizabeth his said wife and against all and eu^{r}y other person & psons Lawfully Claymeing or to Clayme by from or under him the said Thomas Carleton his heyres executors Administrators or Assignes or any of

Liber M M

his or their Act or estate shall and will Warrant and for euer defend by these presents. And the said Thomas Carleton doth by these p^{r}sents for himselfe his heyres Executo^{rs} & Admiñ^{rs} & for eury of them Covenant promise and grant to and with the said James Williams his heyres & Assignes That he the said Thomas Carleton at the day of the date and at the insealeing and Deliu^{r}y of these p^{r}sents is the Lawfull and true Owner of all and singuler the afforemencõned pcell of Land & p^{r}misses by these p^{r}sents Giuen & granted and eury p̄t thereof with the Appurtenances. And standeth seized of a good & sure Lawfull & indefeazable estate of Inheritance in free & Comõn Soccage, ~~To give grant Bargaine~~ in his owne Right without and maner of Condicõn Mortgage or Limitation of any use or uses To alter or determine the same, And also hath full power & Lawfull Authority in his owne Right To giue grant Bargaine Allien sell enfeoffe & Confirme the same pcell of Land and p^{r}misses with the Appurtenances to the said James Williams his heyres & assignes in such sort as in any by these p^{r}sents he hath giuen granted Barganied Alliened sold Enfeoffed and Confirmed the same. And also that he the said James williams his heyres & assignes shall and may from henceforth at all tymes hereafter foreu^{r} Lawfully peaceably & Quietly haue hold use Occupie posesse & enjoy the said pcell of Land and all & singuler other the p^{r}misses before mencõned or intended to be hereby giuen graunted Bargained sold Alliened enfeoffed and Confirmed with their and eu^{r}y of their Appurtencẽs. with and eu^{r}y part and parcell thereof According to the true intent & meaneing of these presents. Without any maner of Let sute Trouble interuption eviction Recourye denyall or hinderance whatsoeuer by him the said Thomas Carleton his heyres or Assignes & Elizabeth his wife or by any other pson or psons Lawfully Claymeing or to Clayme by from or under him them or any of them. And ffree & Cleare and Clearly Accquited exonerated discharged Recompenced saued and kept harmlesse and indemnifyed of and from all & singuler former and other Guifts grants Bargaines feoffments sales Leases Joyntures Dowers uses Wills ffines Inbayles Amercẽm^{ts} Mortgages Anuityes Rents Arrearages of Rent statutes Recognizances Judgements Extents Execuc̃ons p. 126 Debts Trusts Orders & Decrees. And of & from estates Titles Troubles Charges & Incumbrances whatsoeu^{r} had made Comitted suffer donne or assented unto by him the said Thomas Carleton his heyres execut^{rs} Admiñ^{rs} & assignes or any of them. or hereafter to be had made Committed suffred done or assented unto by the said Thomas Carleton his heyres Execut^{rs} & Adm̄^{rs} the Rents and services & ffines menconed & expressed in the said Deed of Grant or Patent, hereafter to grow due to be paid done & performed to the Right Hon^{ble} the Lord Proprietary and his heyres of whome the said Land and p^{r}misses are holden Onely Excepted and foreprized. And further the sayd Thomas Carleton for himselfe his heyres Ex^{rs} Adm̄^{rs} &

Liber M M assignes and eu^{r}y of them doth Covenaut promise and grant To and with the said James Williams his heyres and assignes by these p^{r}sents That he the said Thomas Carleton his heyres Ex^{rs} Adm̃^{rs} & assignes and eu^{r}y of them and all and eu^{r}y other pson & psons & their heyres Lawfully Claymeing from by or under him the said Thomas Carleton shall & will from tyme to tyme and at all tymes hereafter upon the resonable Request to be made by the said James Williams his heyres & assignes. unto the said Thomas Carleton his Executo^{rs} and Administrato^{rs} Doe make Acknowledge Leavey Execute and suffer or cause to be made Done Acknowledged Leavyed Executed and suffred unto the sayd James Williams his heyres and Assignes and to his and their only use All and eu^{r}y such further and other Reasonable Act & Acts Thing & Things Device & devices in the Law whatsoeu^{r} for the better and further Assureance & sure Makeing of all & singuler the Land & p^{r}misses aforesayd with the Appurtenances unto the said James Williams his heyres and assignes According to the true intent & meaneing of these p^{r}sents as by the Councell Learned in the Law of him the said James Williams his heyres & assignes shalbe Reasonably Devised Advised or required And at the proper costs and charges in the Law of him the said James Williams his heyres & assignes Be it by ffeoffment Deed or Deedes Enrolled or not Enrolled Inrollment of these p^{r}sents ffine or ffines Recou^{r}y Or Recoueryes, with single or Double Voucher or Vouchers Release Confirmation or otherwise with Warranty as affo̊resd or only against him & Elizabeth his wife his heyres Executors & Admiñ^{rs}, or without warranty. which said further Assurance & Assurances & eu^{r}y of them shalbe and Enure and shalbe had and taken Reputed Deemed Adjudged & Construed to be & Enure To and for the only use & behoofe of the said James Williams his heyres and assignes for euer. And to & for none other use Intent or purpose whatsoeuer. In Wittnesse whereof the partyes first aboue Named to these p^{r}sent Indentures Interchangably haue putt & sett their hands & seales Dated the day & yeare first aboue written 1673. p. 127

Tho: Carleton sealed

On the backside of the forgoeing Deed was written as followeth
Sealed & Deliuered in
the p^{r}sence of Thomas Marsh
Geo: Parker.

Prov^{ll} Court febrary: 13th 1673.

Then did the within Named Thomas Carleton Acknowledge the within Mentioned Conveyance of One Thowsand Acres of Land Called Churtsey in Calvert County to the within written James Williams his heyres & Assignes To be his Voluntary Act & Deed.

Robert Ridgely Cler. Cur. Provinc^{l}.

Know all men by these p^{r}sents That I Thomas Carleton High Sheriffe of Baltemore County in the Province of Maryland gen^{l}.

Am held and firmly bound To James Williams of Patuxent in Calvert County in the said Province of Maryland planter in the full & iust Sum̄e of One hundred pounds of good and Lawfull mony of England. To be paid to the said James Williams or to his Certeine Attorny his Execut^{rs} Admin^{rs} or assignes. To which payment well & truely to be made & done I binde my selfe my heyres Executō^{rs} & Admiñ^{rs} firmly by these p^{r}sents. Sealed with my seale Dated this Thirteenth day of february Annoqȝ Doms—1673. Liber M M

The Condition of this p^{r}sent abouewritten Obligation is such That if the abouebounden Thomas Carleton his heyres Executo^{rs} p. 128 Adm̄^{rs} & Assignes or any of them shall & doe from tyme to tyme & at all times hereafter well & truly Obey pforme fulfill & keepe all and singuler the Guifts, Covenants Grants Bargaines Articles Conditions & Agreem^{ts} Conteined menconed Specefied & Expressed in one paire of Indentures of Bargaine sale or ffeoffment made betweene the abouesaid Thomas Carleton of the one pt and the abouenamed James Williams of the other part bearing euen date with the aboue written Obligation which on the part and behalfe of the said Thomas Carleton his heyres Executors Admiñ^{rs} & Assignes are & ought to be obeyed obserued pformed fulfilled & kept and that in & by all things According to the true intent and meaneing of the said recited Indentures. Then this p^{r}sent abouewritten Obligation shalbe Voyd and of none effect. otherwise to stand and remayne in full force Strength & Vertue. Tho: Carleton seale

Sealed & Deliu^{r}ed in
the p^{r}sence of Tho. Marsh.
Geo. Parker. Prov^{ll} Court feb̄ 13th 1673

Then did the aboue Named Thomas Carleton Acknowledge the aboue wryting in open Court to be his Voluntary Act and Deed.

Robert Ridgely. Cler. Cur. Prov^{ll}

Know all men by these p^{r}sents That I Richard Covell of London Marrino^{r} for good causes and Considerations me thereunto Moueing haue assigned Ordeined & made & in my place and stead put & Constituted my Loueing freind Christop Rousby of Calvert County in the Province of Maryld gen^{l}. my true & Lawfull Attorney for me & in my name & to my use, To aske demand sue for Leauy Require Recou^{r} & receiue of all & eu^{r}y pson & psons whatsou^{r} and all and eu^{r}y such Debts sum̄es of Mony. Quantity or Quantityes of Tobacco. as are now due unto me or which at any day or dayes tymes or tymes hereafter shall be due oweing or apperteineing unto mee. by any maner of wayes or meanes whatsoeuer. from Any pson or p. 129 psons whatsoeu^{r} within the said Province of Maryland giueing and granting unto my said Attorny my full power and Authority in & about the p^{r}misses. and upon recept of any such Debts Sum̄es of mony quantity or quantityes of Tob̄. afforesayd Accquittanc̄es or

Liber M M other discharges for me & in my name to make Seale & Deliuer. and all & eu^{r}y other Act & Acts thing & thinges device & devices in the Law whatsoeu^{r} needfull to be done in or about the p^{r}misses for me and in Name to doe Execute & pforme as fully Largly and Amply as if I my selfe were psonally p^{r}sent and did the same, with power for my said Attorny To Nominate & Constitute one or more Attorny or Attornyes under him and the same againe to Revoke at his pleasure. Rattifyeing & Confirming whatsoeuer my said Attorny shall doe or cause to be done Lawfully in or about the premisses by vertue of these p^{r}sents Witness my hand and seale the seaven & Twentieth day of June. Anno Domini. 1673.

Sealed & Deliu^{r}ed in Richard Covell. sealed
the p^{r}sence of Robert Ridgely
ffran: Swanston.

Maryland ss. At a Provincial Court of the Right hono^{ble} Caecilius &c held at Citty of St Maryes on Tuesday the Tenth day of ffebruary in the 42th yeare of the Dominion of his said Lo^{pp} over Maryland &c Annoqꝫ Domini 1673 and there Continued untill the 13th day of the same ffebruary before his Lo^{pps} Justices thereunto assigned on w^{ch} said Tenth day was

Present.

His Excl̃ly Charles Calvert Cap^{t} Gen^{r}all and Cheif Justice of this Province.

The hono^{ble}
Philip Calvert Esqꝫ Chancelo^{r}.
William Calvert
Baker Brookes
Tho: Truman
Samuel Chew
Thomas Taylo^{r} &
Jesse Wharton
Esqꝫs.

Andrew Norwood sonne and heire to John Norwood late of Ann Arundell County Deceased peticions this Co^{rt} that whereas his father was in his life time possessed of a Considerable Estate of Lands Tenem^{ts} houses plantations Tobacco houses orchards goods & Chattles in the Province of Maryland, and being thereof so possessed p. 130 dyed Intestate and left behinde him seaven Children whereof the said Andrew is the Eldest of w^{ch} said goods Chattells Rights and Creddits the said Andrewes Mother Ann Norwood tooke Letters of Admcōn and afterwards intermarried with one James Boyd a young man, And the said Boyd and the said Ann by force of Armes Keepes the said Andrew out of the possession of his inheritance and turneth him out of Doores and Deteyneth from him all such graunts Patents and other writings w^{ch} of Right belong unto him as heire to his Deceased fathers Estate.

The peticioner being loth to goe to law wth his owne Mother & Liber M M therefore to avoyd further Trouble prayes that his said Mother may have her thirds assigned her, by the high Sheriff of the County or as this Cort shall ordr, so that ye petr may have what of Right belongs unto him as heire to his said ffather.

Which peticion being Read & heard and the Mother of ye petr being here in Cort prsent. It is by the Court Ordered that Henry Stocket gentl̄ high Sheriff of the said County Mr Richard Hill & Mr Robert Burle or any two of them (pvided the said sheriff be one) doe (at such time as to them shall seeme meete) goe upon the plantation where the Mother of ye petr now liveth, and where the said John Norwood Deceased lately inhabited and according to their Discretion set out unto the Relict of the said John & Mother of ye petr her thirds of the land according to its true vallue allotting her an Equall third pt of the howsing Orchard &c and to see the said Andrew have Delivered unto him all such Patents Paps & Escripts as Doe belong unto him as heire to his Deceased father that so no further Clamor in this behalfe by the said Andrew may be made. and of their pceedings herein they are hereby ordered to Retorne an account to his Lopps Justices here wth all Convenient speed.

Lord Proprietary
agt
Luke Barbour

Verlinda Stone
agt
Edmond Lindsey

George Diamont
agt
Cornelius Carmial

These three Causes are Continued untill ye next Provincial Cort. when they are peremptorily to Come to tryall.

Henry Phipps
agt
Thomas Marsh

Thomas Marsh late of Ann Arundell County p. 131 planter was sumoñed to answere unto Henry Phipps Admr of the goods & Chattells of Edward Maynard Marriner Deceased of a plea that he Rendr unto him his Reasonable account of the time he was Receiver of the Tobacco of him the said Edward in his life time wh to him to make Justly he ought.

And whereupon the said Henry by John Morecroft his Attorney saith that whereas the said Thomas the seaventeenth day of May in the year 1671 was the Receiver of the Tobacco of him the said Edward in his life time to Receive to and for the use of him the said Edward the sum̃e of forty Thowsand six hundred Seaventy and Eight pounds of Tobacco Due from Seurall psons in Ann Arundel County a pticuler whereof and the names of the psons are hereunto annexed & filed, and also the sum̃e of Twenty nine thowsand three

Liber M M hundred thirty nine pounds of Tobacco in bills and accompts received by the said Thomas Marsh of the said Edward Maynard, and also of the sum̄e of Thirty Two Thowsand six hundred and thirteene pounds of Tobacco in Baltemore County The pticuler bills whereof the said Thomas Received by the hands of Michael Gibson to Render his Reasonable account thereof when thereunto Required, Yet neverthelesse the said Thomas Reasonable account thereof to the said Edward in his life time nor to him the said Henry after the death of the said Edward to whome Admcōn of all and singuler the goods and Chattells was comitted hath Refused and yet Doth Refuse, to the greate Damage of the said Henry, and in hinderance of the Admcoñ aforesayd, whereupon he saith he is Damnifyed and hath losse to the vallue of One hundred Thowsand pounds of Tobacco and thereupon he bringeth his suite And the said Henry bringeth here into Court the said L^{res} of Admcoñ whereby it may appeare to the Court here that Admcoñ of all and singuler the goods and Chattells of him the said Edward was to the said Henry Comitted and that of them he hath the Admcoñ.

And the said Thomas Marsh by George Parker his Attorney Cometh & Defendeth the force and Injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provincial Co^{rt} and the same day is given unto both ptyes.

At w^{ch} day that is to say the Eighth day of Aprill in the 41th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673 came the aforesayd Henry Phipps by John Morecroft his Attorney, And the said Thomas Marsh by George Parker his Attorney came likewise, and the said Marsh nor his Attorney sayd nothing in barre of the p^{lts} accoñ aforesayd, wherefore it is the Judgem^{t} of the Court that p. 132 the said Thomas Marsh Doe account wth the said Henry Phipps accordingly.

Comaund was therefore given to the Sheriff of Ann Arundell County that he take Thomas Marsh late of Ann Arundell County gentł and him safely Keepe so that he have his body before the Justices of the Provincial Court to be held at the Citty of St Maryes the Eleaventh day of November next to Render to Henry Phipps Adm^{r} of the goods and Chattells of Edward Maynard Deceased his Reasonable account of the time in which he was Receiver of the goods of him the said Edward in the life time of the said Edward whereupon in the same Court it is Considered of that the said Thomas Marsh shall account with the said Henry and y^{t} he should have then and there the same writ.

At w^{ch} said Eleaventh day of November the Provincial Court was by a writ of Adjournm^{t} of the said Lord Proprietary Adjourned untill the twelveth day of the same November At w^{ch} said Day Came the said Henry Phipps by John Morecroft his Attorney, and the said Thomas Marsh by Henry Stocket high Sheriff of the said

County brought here into Court It is by the Court this day ordered in prsence of the Attorneys of both sides that Mr Thomas Dent and Mr Christopher Rousby be and are hereby appointed Auditors to audite state & Examine the account of the said Thomas Marsh wch to Render to the said Henry Phipps he ought, And that the sd Auditors meete at St Maryes on Thursday the 20th day of November next To audite the said account, and that the said Thomas Marsh doe then & there attend the sd Auditors and so doe attend from day to day untill the sd account shalbe fully stated by the said Auditors, And the said Justices doe hereby Empower the said Auditors to administer oath or oathes to any witnesses that shalbe pduced before them on Either pt And the said account when audited & stated betweene the said ptyes that the said auditors retorne unto the said next Provincial Cort undr their hands & seales, and for their pceedings herein this shalbe their warrant. Liber M M

At wch said Day that is to say the 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673 Came aswell the said Henry Phipps by Kenelm Chiseldyne his Attorney as the said Thomas Marsh by Robert Carvile his Attorney and the Auditors aforesayd (vizt) Thomas Dent & Christopher Rousby gentl Came likewise and in their pp psons Delivered into open Court their Report following wth the acct stated & Examined wch follow in these words (vizt)

To his Excellency The Capt Generall and the Rest of his Lopps Justices of the Provincial Court. p. 133

By vertu of a Comission to us Directed out of the said Court dated the 17th day of this Instant November to audite and state the account between Thomas Marsh gentl of the one pty and Henry Phipps Admr of Edward Maynard Deceased of the other pt wee have Received the account of the said Thomas Marsh attested by him upon oath, and upon Examinacōn of the same and also of the Charge Exhibited agt him p Doctor Morecroft Attorney of the said Henry wee doe humbly Certefy as followeth.

That wee finde the said Thomas Marsh to be indebted to the said Henry Phipps the quantity of Seaven Thowsand Two hundred sixty and six pounds of Tobacco, as by the ballance of the account betweene the said ptyes stated by us undr our hands and seales and hereunto annexed Does appeare.

And whereas by Consent of ptyes of both sides Thomas Marsh is Charged in the afd annexed account with three thowsand five hundred thirty and five pounds of Tobacco being debts due for Pantyles sould by the sd Marsh to the seurall psons hereafter named (vizt) to Nathaniel Stinchcomb 441l Tob, John Honnywood 804l Tob Capt Loyd 300l Tob Major Waters 1390l Tob & Dr Jordenie 600l Tob, wch said Debts the said Marsh hath not yet got in, wee humbly Conceive the said Henry Phipps should give sufficient authority to

Liber M M the sd Marsh to Receive the said debts to his owne use being already Charged D^{r} for the same as aforesayd as by the said account hereunto anexed will appeare.

Also their are seu^{r}all bills and writings Relating to the Estate of the said Edward Maynard and are herewith Retorned sealed up und^{r} our seales, w^{ch} wee Conceive are to be Delivered up to the said Henry Phipps, also two receipts und^{r} the hand and seale of the sd Thomas Marsh for seu^{r}all bills & accompts Recd̄ by him from the sd Maynard w^{ch} Receipts are also sealed up with the said bills, and w^{ch} wee Conceive ought to be Delivered up to the said Thomas Marsh to be Cancelled.

And whereas their is an account pduced to us by Thomas Marsh attested upon oath being for the markes and Numbers of thirty six hogsheads of Tobacco w^{ch} lyes Ready Recd̄ by the said Marsh for the account of the said Maynard and Phipps amounting to thirteene Thowsand Two hundred Eighty seaven pounds of Tobacco for w^{ch} wee have given Creddit in the account to the said Marsh, wee doe humbly Certefy that wee were the Rather induced thereunto by the Depositions of Robert Carvile and Miles Gibson both sworne before us which Depositions are hereunto annexed & whereunto wee Doe humbly Referre, All w^{ch} wee humbly submit to Judgem^{t} of this hono^{ble} Co^{rt}.

Tho Dent (sealed)
Chr Rousby (sealed).

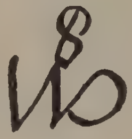
M^{r} Thomas Marsh Dr to M^{r} Henry Phipps.

	Tob
To p bill of M^{r} Stockets	1161.
To p bill of John Larkins	5613.
To p bill of M^{r} Burle	400.
	†Tob.
p. 134 To p bill of Robert Procto^{r}	1411:
To p Tho: Gibbons acc^{t} & bill	477.
To p bill of James Rigby	4036.
To p 2 bills of Thomas Knightons	2364.
To p Nathaniel Stiles bill	3239.
To p bill of M^{r} Augusteene Harman	1662.
To p bill of D^{r} Jordeine	2615.
To p bill of John Howard	990.
To p bill of Robert Davidge	420.
To p bill of Tho: Turner	2064.
To p bill of George Collins	1046.
To p bill of Thomas Richardson	390.
To p bill of Robert Procto^{r}	1902.
To p bill of John Beamount & Math: Harding	733.

Liber M M

	Tob
To p bill of Ditto	1800.
To p bill of John Beamont	1430.
To p bill & acc^{t} of Richard Mosse	483.
To p bill of John Wooldrick	39.
To p bill of ffrancis Smith	40.
To p bill & acc^{t} of W^{m} Hollis	902.
To p bill & acc^{t} of John Gilbert	4200.
To p bill of W^{m} Price	1011.
To p 3 acc^{ts} of Miles Gibson	
To p Receipt of M^{r} Jordeine from M^{rs} Sarah Williams	250.
To acc^{t} of D^{r} & C^{r} Relating to Seurall men in Ann Arundell Cty	29339
To p acc^{t} in Gibsons hand DD to M^{r} Marsh	32613.
To 19700 Pantyles Disposed on at 300 : ƚ^{Tob} p 1000 :	5910.
Sum Total	108540.

Per Contra Cr.	ƚ Tobacco
p retorne of an acc^{t} recđ from Gibson	32613.
p Retorne of Debts unrecđ upon y^{e} acc^{t} of D^{r} & C^{r} Relating to Ann Arundell County	27190.
p an acc^{t} of 36 hdds Tob lyeing Ready Recđ 32 whereof being marked & 7 hdds m^{r}ked TM amount to as p̄ acc^{t} made oath to	13287 :
To p acc^{t} of D^{r} & C^{r}. Relating to Seu^{r}all men in Ann Arundel Cty	29399.
By sallary for Disposing of Pantyles & Receiving pay for them amounting to 5910^{ƚ} at 15 p 100	886.
p sallary for receiving 36 hdds q^{t} 13287	1328 :



		ƚ Tob.
p bill pd for Cap^{t} Maynard due to y^{e} sd Tho : Marsh		1446 :
p M^{r} Henry Phipps ord^{r}		2000.
p Cap^{t} Stockets Receipt & on M^{r} Maynard Ingagem^{t}		400 :
p pd to Robert Procto^{r} by Ditto Maynard		300 :
p ord^{r} of M^{r} Phipps attested p Kenelm Chiseldyne p a poore wom^{n}		300 :
p pet & filing bill ag^{t} Collins	24.	348 :
p warrt ag^{t} Tho Richardson	20.	
p 4 war^{ts} ag^{t} Beamount & Harding	80.	
p 4 arrests ag^{t} Ditto	140	
p filing Decl	24	
p Attorneys ffee	60	
p M^{r} Parker for Entring his appearance		60 :

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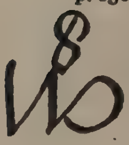
Liber M M

	℔ Tob.
p Expences for Seu^{r}all times going to St Maryes about Maynards & Phipps affayres	1225:
To Remaind^{r} of Larkins bill Due to y^{e} Estate of Maynard & Phipps to be D̄D̄ in	4403:
To a Remaind^{r} of Procto^{rs} bill for	672:
To bill & acc^{t} of Thomas Gibbons	477:
To 2 bills of Tho Knightons	2364:
To a Remaind^{r} of Nath: Stiles bill	1239:
To a Remaind^{r} of Augusteene Harmans bill	366:
To a Remaind^{r} of Davidges bill	39:
To a Remaind^{r} of Thomas Turners bill	706:
To Judg^{t} obteined ag^{t} George Collins in Ann Arundell County as p̄ Record their will appeare	1046.
To Robert Procto^{rs} bill & account	1902:
To John Beamount & Hardings 3 bills	3933:
To a Remaind^{r} of M^{r} Mosses bill	148.
To a Remaind^{r} of John Wooldritches bill	39.
To a Remaind^{r} of ffrancis Smiths bill	40.
To acc^{t} of W^{m} Hollis not owned	256.
To John Gilberts acc^{t} not owned	1000.
To a bill of W^{m} Prices for 1011^{l} w^{ch} bill M^{r} Marsh declares was by arbitracōn ordered to be D̄D̄ up to be Cancelled & y^{e} award by M^{r} Marsh Delivered to M^{r} Phipps	1011:
To three accounts of Miles Gibson for w^{ch} nothing is Chargd To one receipt of M^{r} Jordeines from M^{rs} Sarah Williams	250.
Rests due to Maynard and Phipps to ballance this acc^{t} Sum̄e of	7266:
	108540

This is the acc^{t} betweene M^{r} Henry Phipps & M^{r} Thomas Marsh audited & stated the 20th & 21th of November 1673.

p Tho: Dent (sealed)
Chr: Rousby (sealed)

p. 136



An Account of all such Tobaccos Rec̄d by Thomas Marsh in the yeare 1671 for Edward Maynard and M^{r} Henry Phipps marked as in margent lyeing in these houses hereafter named.

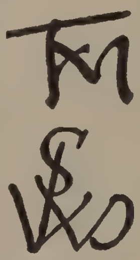
In Ann Arundel County.

2 h̄d̄d̄s at Thomas Stockets plantation	N^{o}. 43	342	696.
	N^{o} 44	354	
2 h̄d̄d̄s at John Barwells plantation	N^{o} 29	316:	590:
	N^{o}. 30	274:	
2 h̄d̄d̄s at Robert Tylers plantation	N^{o}. 16	359	639:
	N^{o}. 17	380	

Liber M M

			℔ Tob.
3 hdds at Wm Drewrys plantation	No. 24	342	1048.
	No 25	362	
	No 26	344	
1 hdd at Bryan Proctors plantation	No. 19		342.
2 hdds at Morrice Bakers plantation	No. 1	300	570.
	No 37	270	
1 hdd at Wm Davis plantation	No 45		388.
3 hdds at White hall Capt ffullers plantation	No. 21	332	1016:
	No. 22	328	
	No 23	356	
1 hdd at Mr Keelees plantation	No 28		352
1 hdd at Bryan Proctors	No 18		371.
In Baltemore County			
2 hdds at Gibbes in Stealepone Creeke	No 6	342	686.
	No 12	344	
1 hdd at Giles Porters in the same Creeke	No 13		434.
3 hdds at Mr Augusteens plantation	No 7	418.	1296.
	No 8	458	
	No 9	430	
1 hdd at Waymouth plantation	No 14	365	365
1 hdd at James Ringolds in Kent County	No 1		328.
3 hdds at Miles Gibsons plantation	No 50: 51: 52		1244.
7 hdds at Abraham Wildes at the Grove in Sasafrax	No 11	464	2922.
	No 10	438	
	No 1	418	
	No 2	392	
	No 3	416.	
	No 4	406.	
	No 5	388.	
		Totall	13287

Erros Excepted by me
Tho: Marsh.



Thomas Marsh made oath that the Tobacco here mentioned was Received for the acct of Mr Maynard and Henry Phipps and that the Tobacco so Received Remaines at these places mentioned for anything the sd Marsh Knowes as yet to the Contrary Novembr 1673.

Jur Cor.
Chr. Rousby. Tho: Marsh.
Tho: Dent.

p. 137 The Deposition of Robert Carvile sworne before us Thomas Dent & Christopher Rousby gentl Auditors appointed by the honoble the Justices of the Provincial Court to audite state and Examine the acct betweene Henry Phipps plt and Thomas Marsh Defendt upon an accon of acct in the said Court Depending by vertu of an ordr Dated the 17th of November 1673.

The said Robert Carvile being duly sworne saith that about Aprill or May or June 1672 the positive time this Depon^{t} Cannot Remember the said Henry Phipps Came to this Depon^{ts} Chamber for advise in Relacõn to some freight he tould me he had taken on board the good ship Called the Convertine Cap^{t} Young Comand^{r}, w^{ch} M^{r} Thomas Dent p^{r}tended he had by ord^{r} of M^{r} Thomas Mathewes of Cherry Pointe in Virginia authority to let out, freight for 50 or 60 hdds w^{ch} as he told me lay ready Recd by Thomas Marsh, in Ann Arundell & Baltamore County as Attorney of Edward Maynard Deceased & Youngs seamen was to fetch the Tobacco on board that the freight agreed on was as he tould me to this Dep^{ts} best Remembrance 7^{l} 10^{s} p Tunn, that M^{r} Phipps told to this Dep^{t} he gave to M^{r} Dent a noate on M^{r} Marsh to Deliver the Tobacco by him Recd and that he had given ord^{r} to M^{r} Marsh without a noate und^{r} his hand not to Dispose of it M^{r} Phipps told me M^{r} Dent had given the Noate to Cap^{t} Young & he to his seamen that went up the Bay that the Seamen had lost the noate & yet Demanded the Tob of M^{r} Marsh w^{ch} he did not pay That it was demanded the second going up by the Seamen but for want of a noate M^{r} Marsh would not pay it, M^{r} Phipps told this Depon^{t} that he Never Knew of the losse of y^{e} noate till after the second Demaund by the seamen, and that he had offered another noate on M^{r} Marsh, to supply his agreem^{t} of freight but that was Refused then for that as he alledged they had got a better Rate for freight and brought to their shipside, My advise was that if he would pve M^{r} Dents power to let freight & other thinges he then alledged to me he might have a good accõn ag^{t} M^{r} Dent, M^{r} Phipps so by me Resolved, goes as this Dep^{t} supposes to D^{r} Morecroft and advises about the same Case, and informe[s] this Dep^{t} that he was advised that their would be no Cause of accõn ag^{t} M^{r} Dent for want of a Charter pty for y^{t} it would appeare Nudum Pactum but that he must sue Young, this as neare as this Depon^{t} Can positively Remember is the substance of the Discourse this Depon^{t} had wth M^{r} Phipps at that time and this Depon^{t} further saith that some short time after M^{r} Phipps Complayning that Young was gone, and he Could have no Redresse and the Tobacco was like to ly on his hands, and that he had by Letters acquainted S^{r} William Davison his Imployer that he had shipt Tobacco on Young my advise was that he should ship the same in some other ship and thereupon M^{r} Phipps as this Depon^{t} beleeves p. 138 did Desire this Dep^{t} if he heard of any freight to be let in Patuxent to give him Notice, and that accordingly one Winder Coming in about the Latter End of June or beginning of July for freight Only as this Depon^{t} supposes, This Dep^{t} from Cap^{t} Perrys sent notice to M^{r} Phipps of the same who Came thither, and Cap^{t} Pery Designing then to goe in the sd ship offered to pcure freight for him at the same Rate he had agreed with Winder for and if he would Consigne

the same to him to act faithfully for him or to that Effect, but Liber M M
some scruples were raysed about his the said Mr Phipps his former Concernes with Dent and Young and if that taking of freight would not Destroy his Cause of accōn, and if the Tobacco should not miscarry whether it would not ly upon his owne account, nothing was Done though Mr Pery & this Depont both advized him Rather to Runn that hazard then to let it ly & Rot in ye Country, and this Depont further saith that he being prsent in Whitson Weeke last when Mr Marsh Came to acct wth Mr Phipps at St Maryes Mr Marsh as Mr Phipps did then owne he had given him a fayre account & Mr Marsh did offer him the Noates for the h̄d̄d̄s Remayning in his hands upon ye sd account, that he might Receive the same (or if he would give him authority so to doe ship the same on board any ship at Reasonable freight then p̄d in Severne, wch Mr Phipps wld not Doe without the advise of Mr Morecroft his Attorney, who (as Mr Phipps tould this Dept) would not Consent to ye same, but Mr Phipps must pceed as the Law should Direct or words to that effect and further saith not.

Ro: Carvile. Sworne the 21th of November 1673
before us Tho: Dent
Chr: Rousby.

Miles Gibson aged about 29 yeares sworne saith that in Aprill 1672 being at Mr Vanswearingens in Company wth Mr Phipps & Mr Marsh & others heard severall Discourses passe between the sd Mr Phipps & Mr Marsh about seuall Tobaccoes & accompts belonging to the Estate of Mr Edward Maynard, and amongest wch Discourse I heard Mr Thomas Marsh offer to make up his accts wth him the sd Mr Phipps & withall likewise sedd in yor Deponts hearing yt their were seuall h̄d̄d̄ Tob ready Rec̄d for ye sd Phipps use wth their markes & no also, but what answere the sd Mr Phipps made Concerning the sd accts I Cannot Certeinely Tell but for ye Tob, wch lay ready Rec̄d for ye use aforesd̄ the sd Mr Phipps did in yor Deponts hearing say to Mr Marsh after some Talke about the sd h̄d̄d̄s of Tob that he wld send up an ordr for ye same by the sloope p. 139
yt Came for it, the sd Mr Marsh Replyed againe upon the same that without an ordr he would not Deliver any for feare of further Trouble wh sd speeches did not only passe once or twice but was Repeated oft I being Called for to testefy the same if occasion Required it, wch sd ordr was from undr his owne hand writing to wch sd Deposition I have hereunto set my hand this 21th November 73.

Jurat Novemb̄ 21th Miles Gibson.
1673
Tho: Dent
Chr. Rousby.

wch said Report of the said Auditors, account stated, accompt of Markes & Numbers of Tobaccoes & Depositions being Read & heard

Liber M M in p^r^sence of the Attornyes of both sides; The Court gave Judgem^t^ according to the Report of the said Audito^rs^, and the paps mentioned in the said Report were Delivered up in open Court to both ptyes according to the said Report, and ordered that Henry Phipps sufficiently Empower y^e^ sd Thomas Marsh for the Recovery of the said Debts due for the Pantyle as in the said Report is mentioned and it is further Considered that the said Henry Phipps Recover ag^t^ the said Thomas Marsh the sum̃e of Seaven Thowsand Two hundred sixty six pounds of Tobacco the ballance of the account aforesayd, and the sayd Henry Phipps by his Attorney prayed the writ of the Lord Proprietary retornable imediate to Enquire what Damages he had susteined by Reason of the said Thomas Marsh his not accounting with him sooner, and it was by the Court graunted unto him in these words vizt.

Caecilius absolute Lord & Proprietary of the Province of Maryland and Avalon Lord Baron of Baltamore &c To the Sheriff of St Maryes County Greeting Whereas Thomas Marsh late of Ann Arundell County was sum̃oned of being in this Court before the Justices of the same Court at St Maryes to Render unto Henry Phipps Adm^r^ of the goods and Chattells of Edward Maynard Deceased his Reasonable acc^t^ for the time he was Receiver of the Tobacco of him the said Edward Maynard and for that the sd accounts were by this Court referred to auditor^s^ and the said Audito^rs^ p. 140 not having Retorned any Damages or Costs it not being before them And because it is not Knowne what Damages the said Henry Phipps had susteined by occasion of his not accompting with the sd Henry in Reasonable time wee therefore Comaund you that you Cause to Come before the Justices of this Co^rt^ this thirteenth day of ffebruary Twelve good and lawfull men of yo^r^ Baliwick to enquire what Damages the said Henry Phipps has susteined aswell by occasion of the p^r^mises as for the Costs and Charges by him the said Henry in that behalfe layd out hereof you are not to fayle at yo^r^ pill and have you there this writ. Witnes Charles Calvert Esq; our Cap^t^ Gen^r^all and Cheif Justice of our said Province of Maryland this thirteenth day of ffebruary in the 42^th^ yeare of our Dominion over our sd Province of Maryland Annoq; Domini 1673.

At w^ch^ said thirteenth day of ffebruary Come aswell the said Henry Phipps by Kenelm Chiseldyne his Attorney as the said Thomas Marsh by Robert Carvile his Attorney and the Juro^rs^ of that Jury likewise came but because his Lo^pps^ Justices here p^r^sent will advise themselves of and upon the p^r^mises they have ordered the said writ of Inquiry of Damages to be put in Respit untill the first day of the next Provincial Court & the same day is given to both ptyes.

John Brookes
ag^{t} } upon an attachm^{t} & nulla bona retorned.
Humphry Keitly

John Prat } Thomas Philips late of Talbot County was attached to
ag^{t} } answere to John Prat in a plea of Trespas upon the
Tho: Philips } Case.

And whereupon the said John Prat by George Parker his Attorney Complaineth that whereas the said Thomas Philips the Eighth day of January 1665 stood indebted unto the said John in the Just sum̃e and quantity of 380^{l} of good Marchantable Tobacco in Casque To be pd on the Demaund in the Island Creeke in Choptanke River Notwithstanding the said Thomas though often Required the aforesayd sum̃e and quantity of 380^{l} Tob in Casque to the sd John hath not as yet p̄d but the same to him to pay doth deny and Refuse whereupon the sd John saith he is Damnifyed and hath losse to the vallue of Eight hundred pounds of Tobacco & Casque And thereupon he bringeth his suite.

And the sd Thomas Philips by Vincent Lowe his Attorney Cometh & Defendeth the force & injury when &c and saith he Did not assume upon himself in manner & forme as the p^{lt} aforesayd hath alledged and of this he puts himself upon the Country.

And now here at this day to wit the 10th day of ffebruary in the 42th yeare of y^{e} Dominion of Caecilius & Annoqȝ Domini 1673. the Justices ordered the said John Prat to Joine issue wth y^{e} Defend^{t} Philips upon his plea afd, but the said Prat suffered a nonsuite, wherefore it is Considered by the Court here that y^{e} sd John Prat lost his writ, and that the said Thomas Philips Recover ag^{t} y^{e} sd Prat the sum̃e of   pounds of Tobacco for his Costs & the sd Prat in mercy for his false Complaint

Edward Williams } Edmond Lister being the Titular p^{lt} in this Case p. 141
ag^{t} } being Dead The Court Ordered the Decl̃ to be
Philip Shapleigh } now filed by y^{e} name of Edward Williams p^{lt},
and Vincent Low is Admitted Attorney in the place of John Morecroft deceased, and Ordered that this Cause Come to tryall next Court.

John Cooper } It was alledged by the p^{lt} that he had sum̃oned
ag^{t} } Jonathan Sybrey as a witness in this Cause who not
Mary Pine } appearing he Could not Come to tryall wherefore
ordered by the Co^{rt} that if it appeare by the Sheriffs Retorne that the said Sybrey were sum̃oned if he appeare not, that he be fined 500^{l} Tob and that this Cause be Continued untill the next Co^{rt} when it is ordered pemptoryly to Come to tryall. It appears not by the Retorne of the Sheriff of Talbot County that Ever the said

Liber M M Sybrey was sum̄oned this Co^{rt} or that Ever any such subpœna Came to y^{e} Sheriffs hand.

Tho: Gannt
ag^{t}
ffrancis Gunby &
Mathew Smith

ffrancis Gunby late of St Maryes County and Mathew Smith late of Calvert County were sum̄oned to answere unto Thomas Gannt of a plea that they Rend^{r} to him the sum̄ of six Thowsand pounds of Tobacco w^{ch} to him they owe & unjustly Deteyne &c.

And whereupon the said Thomas by Robert Carvile his Attorney saith that whereas the said Thomas upon the 11th day of January in the 39th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1672 at Patuxent in the said County of Calvert did Demise to them the sd ffrancis & Mathew all that his plantation lyeing in the Back Creek in Patuxent aforesayd with all houses Edifices Orchards gardens Tobacco howses & other appurtenances to the said plantation belonging or in any wise appteining to have & to occupy to them the sd ffrancis & Mathew & their assignes from the sd 11th day of January in the yeare aforesayd to the End and Terme of Seaven yeares from thence next following fully to be Compleate & Ended Rendring therefore yearly during the said Terme to him the sd Thomas and his assignes the sum̄e of 2000^{ł} of good sound Tobacco and Casque to be pd upon the 10th day of October in Every yeare By vertu of w^{ch} Demise the afd ffrancis Gunby & Mathew Smith upon the Twelveth day of January afd in the yeare aforesayd into and upon the plantation afd wth the appurtenances did Enter and were & yet are thereof possessed, and the said sum̄e of six thowsand pounds of Tobacco upon the 10th day of Octob̄ in y^{e} 41th yeare of y^{e} sd Caecilius Annoqȝ Domini 1672 for three yeares Rent then due were behinde & unpayd and as yet are behinde and unpayd by w^{ch} an accōn Did accrue to the aforesayd Thomas Gannt to Require & have of them the said ffrancis & Mathew the aforesd six Thowsand pounds of Tobacco, yet the aforesd ffrancis & Mathew although often Required the afd 6000^{ł} Tob to him the sd Thomas have not payd and as yet Doe Deny and Refuse to pay the same whereupon the said Thomas saith he is
p. 142 Damnifyed and hath losse to the vallue of Eight Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And the said ffrancis & Mathew by Kenelm Chiseldyne their Attorney Come & Defend the force & Injury when &c & pray liberty of speaking thereunto untill the first day of the next Provincial Co^{rt} and the same day is given to both ptyes.

At w^{ch} said Day that is to say the 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. Came the said Thomas Gannt by Robert Carvile his Attorney and offered himself ag^{t} y^{e} sd ffrancis & Mathew of and upon y^{e} p^{r}mises and the said Mathew appeared not but made Default but the said

Liber M M

ffrancis appeared by Kenelm Chiseldyn his Attorney and Defended the force & Injury when &c and saith he doth not owe the sd Thomas the sd sum̃e of 6000t of Tob nor any p̄t thereof in manner & forme as ye plt above in his Declaracoñ hath Declared agt him & of this he puts himself upon the Country and the said Thomas likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come here immediately Twelve &c.

And the said Thomas & ffrancis appearing by their Attornyes afd̄ and the Jurors afd being Called appeared; and ye said ffrancis when the Jury were Called to ye booke, refused to Come to tryall but made Default wherefore it is Considered by the Court here that Judgt be awarded agt ye said ffrancis Gunby and Mathew Smith upon ye plaint aforesd by ye sd Thomas Gannt brought by Default and that the said Thomas Gannt Recover agt the said ffrancis Gunby and Mathew Smith aswell the sd sum̃e of six Thowsand pounds of Tobacco his Debt aforesayd as also the sum̃e of nine hundred forty foure pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said ffrancis & Mathew in mercy &c

Joseph Sumner
agt
Tho Long

In this Cause the Decl̄ being filed and ye plea also & the issue not Joyned by the plt, and the plt not appearing by himself or Attorney, and the Sheriff of Baltamore County affirming to the Court here that the sd plt did tell him that he Resolved to trouble himself no further about the matter in question, the Deft Craved a non suite, wch was by the Court awarded agt the said Joseph Sumner for not psecuting his plaint agt the said Long, and further ordered that the said Thomas Long Recover agt the sd Joseph Sumner the sum̃e of eight hundred & fifty pounds of Tobacco for his Costs and the sd Joseph in mercy for his false Complaint &c

p. 143

Samuell Winslow
agt
John Bowles
The same
agt
The same
The same
agt
The same
William Barret
agt
Tho Howell & ux
Wm Wheately
agt
The same

In these five Causes Mr John Morecroft Deceased being Attorney for ye Respective plts who are not Inhabitants in this Province & Could not so soone have notice of their Attornyes Death, The Court Continued the sd Causes untill the next Provincial Court.

Liber M M John England & Tho Jones agt Randall Revell } The Defendt filed his plea this Court the Cause to Come to tryall ye next Court.

Demetrius Cartwright agt Henry Kircoven } Henry Kircoven late of Ann Arundell County otherwise Called Henry Kircoven of the Clifts in Calvert County planter was Sum̄oned to answere unto Demetrius Cartwright in a plea that he Rendr unto him the sum̄ of Eight hundred pounds of Tobacco wch to him he oweth & unjustly Deteineth

And whereupon the said Demetrius by Kenelm Chiseldyne his Attorney saith that whereas the said Henry the 27th day of October in the yeare of or Lord 1671 by his Certeine writing obligatory sealed wth the seale of the sd Henry here in Court pduced whose date is the same day & yeare abovewritten did acknowledge himself to owe & stand indebted unto the sd Demetrius Cartwright of St Leonards in Calvert County Inholder the full & Just sum̄e of 800l of good sound marchantable Tobacco and Casque to be payd at some Convenient place in the Clifts in the County aforesayd on Demaund unto the said Demetrius Cartwright his heires Executors Admrs or assignes upon Demaund, to ye wch paymt well & truly to be made he did binde himselfe his heires Executors and Admrs firmly by these prsents, Notwthstanding wch the sd Henry the sd sum̄e of 800l Tob though often Required hath not payd according to the Tenor of the said bill but the same to pay altogether Denyes to the Damage of the said Demetrius Twelve hundred pounds of Tobacco and thereupon he bringeth his suite.

And the said Henry Kircoven by Thomas Bland his Attorney Cometh and Defendeth the force & Injury when &c & saith nothing in barre of the sd Demetrius of the Debt aforesayd wherefore it is Considered by the Court here that the said Demetrius Cartwright Recover agt the said Henry Kircoven aswell the said Eight hundred pounds of Tobacco his Debt afd as also the sume of three hundred & forty pounds Tob for costs & ye sd Henry in mercy &c

p. 144 John Ingram agt George Cowley }
Thomas Mountfort agt Samuel Hatton } These Two Causes are Continued untill the next Provincial Court.

Richard Edelen agt James Thompson } James Thompson late of Calvert County otherwise called James Thompson of Calvert County in the Province of Maryland was sumoned to answere unto Richard Edelen in a plea that he Rendr unto him the sum̄e of

Twenty Thowsand pounds of Tobacco w^ch^ to him he oweth & unjustly Deteineth &c Liber M M

And whereupon the said Richard by Robert Carvile his Attorney saith that whereas the sd James upon the 31th day of July in the yeare of our Lord 1671 by his Certeine obligacōn or writing obligatory sealed w^th^ y^e^ seale of him the sd James and here in Court pduced whose date is the day and yeare aforesayd did acknowledge himself to owe & stand Indebted unto the sd Richard the sum̃e of 20000^l^ of good sound Marchantable Tobacco in Casque to be payd to the said Richard upon Demaund, Yet Notwithstanding the sd James though often thereunto Required the said sum̃e of Twenty Thowsand pounds of Tobacco to him the sd Richard according to the said writing obligatory hath not payd but the same to pay hath hitherto Denyed and Refused to pay and still Doth Deny and Refuse to pay the said Twenty Thowsand pounds of Tobacco to him the sd Richard whereupon he saith he is Damnifyed and hath losse to y^e^ vallue of 20000^l^ of Tob and thereupon he bringeth his suite.

And the said James by Kenelm Chiseldyne his Attorney cometh & Defends the force & injury when &c & prayeth the hearing of y^e^ sd obligacōn & it is read unto him & he prayeth likewise the hearing of y^e^ Condicion of the sd obligacōn and it is Read unto him in these words following. The Condicion of this obligacōn is such that if the abovebounden James Thompson shall Keepe & save harmlesse the sd Richard Edelen and his heires from a bond passed by the said Edelen in behalfe of the sd Thompson unto John Allen bearing date w^th^ these p^r^sents for the sum̃e of Twelve Thowsand pounds of Tobacco in Casque & shall Deliver or Cause to be Delivered unto the sd Edelen his sd bond w^th^out Trouble or any mollestacōn w^t^soever occasioned by meanes of y^e^ sd bond by Christmas next come Twelve moneth then this obligacōn to be voyd & of none Effect otherwise to stand & be in full force & vertu. and Effectual in Law, w^ch^ being read & heard the sd James prayeth liberty of speaking thereunto untill the first day of the next Provincial Co^rt^ and the same day is given to both ptyes.

At w^ch^ Day to wit the 10^th^ of ffebruary in the 42^th^ yeare of the Dominion of Caecilius &c Annoq Domini 1673: Came the said Richard Edelen by Robert Carvile his Attorney and the said James Thompson came not but made default wherefore it is Considered by y^e^ Court here that the said Richard Edelen Recover ag^t^ the sd James Thompson aswell the said sum̃e of Twenty Thowsand pounds of Tobo aforesd as also the sum̃e of three hundred fifty One pounds of Tobacco for his Costs and the said James in mercy &c

Thomas Bland ag^t^ Thomas Gannt } This Cause is Continued untill the next Provincial Court. p. 145

Liber M M

Philip Shapleigh
ag^{t}
John Steward

The Defend^{t} having appeared by Vincent Lowe his Attorney who will pleade in time to Come to tryall next Court.

Philip Shapleigh
ag^{t}
John Brookes

John Brookes late of Dorchester County otherwise Called John Brookes of Dorchester County Chirurgion was sum̃oned to answere unto Philip Shapleigh & Joyce his wife Executrix of the goods & Chattells of Daniel Holland Deceased in a plea that he Rend^{r} unto them the Sum̃e of One Thowsand six hundred Seaventy Two pounds of Tobacco w^{ch} from them he unjustly Deteineth.

And whereupon the said Philip and Joyce by Kenelm Chiseldyne their Attorney saith that whereas the said John Brookes the thirteenth day of ffebruary in y^{e} yeare of our Lord 1671. by his Certeine writing obligatory sealed wth the seale of the said John here in Court pduced whose date is the same day and yeare abovewritten did binde himself his heires Executo^{rs} Adm^{rs} to pay or Cause to be payd unto the said Daniel Holland of the same County his heires Executo^{rs} Adm^{rs} the full & Just sum̃e of One Thowsand six hundred seaventy Two pounds of Tobacco in Caske according to act of Assembly due to be payd according to act of Assembly the last of November next Ensueing the date hereof at some Convenient place in the abovesd County Notwth standing w^{ch} the said John Brookes the sd sum̃e of 1672^{l} of Tob according to the Teno^{r} of the sd bill hath not payd though often thereunto Required to the sd Daniel Holland while he was living nor to the said Joyce whilst she was sole nor to the sd Philip and Joyce since Espowsalls but the same to pay altogether Denyes to the Damage of the sd Philip & Joyce 3000^{l} Tob. & thereupon they bring their suite. and the sd Philip and Joyce bringeth also here in Court the L^{res} Testamentary of the sd Daniel that it may appeare to the Court here that she is Executrix of the same & thereupon hath Admcōn.

And the said John by Robert Carvile his Attorney Cometh & Defendeth the force & injury when &c & prayeth the hearing of the writing obligatory aforesd and it is Read unto him w^{ch} being Read & heard he sayth that the said Philip & his wife ought not to have their accōn ag^{t} him for y^{t} he saith that the said writing obligatory is not his act & Deed of this he puts himself upon the Judg^{t} of the Co^{rt} if the sd p^{lts} their accōn aforesd ought to have ag^{t} him the sd John.

And now here at this day to wit y^{e} 10th of ffeb: 1673. Came the said Philip & Joyce by the sd Kenelm their Attorney & offered themselves ag^{t} the said John Brookes of & upon the p^{r}mises & the said John Brookes appeared not but made Default wherefore it is Considered by the Co^{rt} here that the sd Philip & Joyce Recover ag^{t} the sd John Brookes as well the sd sum̃e of One Thowsand six hundred

Seaventy Two pounds of Tobacco his Debt aforesd, as also the sume of three hundred and forty pounds of Tobacco Costs and the sd John in mercy &c. Liber M M

Raymond Stapleford agt John Balley } The Defendt put in his plea this Court and this Cause continued untill the next Court. p. 146

John Litchington agt Luke Gardner } Luke Gardner gentl Sheriff of the County of St Maryes was sumoned to answere unto John Litchington of a plea that he Rendr unto him One hundred & Twenty pounds sterling & six hundred and fifty pounds of Tobacco wch to him he oweth & unjustly Deteyneth.

And whereupon the said John Litchington by Kenelm Chiseldyne his Attorney saith that whereas the said John Litchington formerly that is to say at a Provincial Court held on the 11th day of ffebruary in the 41th yeare of the Right honoble Caecilius absolute Lord and Proprietary of this Province before the Justices of the said Lord Proprietary at the said Citty of St Maryes thereunto assigned by Kenelm Chiseldyn his Attorney Came & brought then there in the sd Court his Certeine action agt one John Maltby in a plea of Trespas on the Case the Tenor whereof followeth in these words.

Comaund was given to the Sheriff of St Maryes County that he should take John Maltby late of St Maryes County Marchant and him safely Keepe so yt he may have his body before the Justices of the Provincial Court to be holden at the Citty of St Maryes the 11th day of ffebruary next to answere unto John Litchington of a plea of Trespas on the case at wch sd day Came aswell the sd John Litchington by Kenelm Chiseldyne his Attorney as the sd Maltby in his pp pson by the Sheriff of the County aforesayd brought to the barre and the sd Sheriff now Retornes that he tooke the body of the said Defendt, and that he now had him ready, upon wch the said Defendt being ordered by the Court here to put in speciall Bayle in the sd Court here to answere the sd action & pay the Condemnacōn or rendr his body to the Keep of the prison of the Lord Proprietary if he should in ye said action be Convict, the sd Defendt Rendered himself to ye prison aforesayd upon which the said John Maltby is by the Court Comitted to the sd prison therefor to Remaine untill he shall pforme the sd ordr.

John Maltby late of St Maryes Citty Marchant was attached to answere unto John Litchington in a plea of Trespas upon the Case.

And whereupon the said John Litchington by Kenelm Chiseldyne his Attorney Complaineth that whereas the sd John Maltby the 13th day of December in the yeare of our Lord 1671. at New Yorke

Liber M M in the County of New Yorke did in psuance of a Certeine Contract and Charterpty made betweene them the sd John Litchington Marriner Master & pt owner of the good ship Called the Mary of London of the one pty and the sd John Maltby by the name of John Maltby of New haven in New England Marchant on the other pty had given & Delivered unto the sd John Litchington his bill of Exchange according to the use of Marchants to one John Nethway Marchant in ffiall Directed, and by the same his bill of Exchange had apointed and authorised him the sd John Nethway to pay unto him the sd John Litchington the sum̃e of One hundred & Twenty pounds sterling p. 147 at ten dayes sight of the said bill of Exchange, the said John Maltby did then & there assume upon himself, and in Consideracōn thereof to the said John Litchington did faithfully pmise that if the sd John Nethway should not Content satisfy & pay unto the sd John Litchington the sd sum̃e of 120ˡ sterˡ at Tenn dayes sight according to the Tenoʳ & Effect of the said bill of Exchange that he yᵉ sd John Maltby the sd sum̃e of 120ˡ sterˡ to him the sd John Litchington when thereunto Required would well & truly Content & pay, and the said John Litchington in fact saith that he the said John Litchington did shew the 27th day of January 1671 the sd bill of Exchange of 120ˡ Sterˡ unto the sd John Nethway & Required him the sd John Nethway to pay the sd sum̃e of 120ˡ sterˡ according to the Tenoʳ of the said bill of Exchange wᶜʰ sd bill of Exchange the sd John Nethway wholy Refused and Denyed to accept & p̊ay whereby action hath accrued to the sd John Litchington to Require & have of the sd John Maltby the sd 120ˡ Sterˡ, Notwᵗʰstanding wᶜʰ the sd John Maltby his sd pmise & assumption as aforesd made little reguarding but Devising and fraudulently intending him the sd Litchington the sd 120ˡ sterling to Defraud and Deceive the sd 120ˡ sterˡ though often Required to him the sd John Litchington according to his promise hath not payd but the same altogether Denyes

And the said John Maltby by Vincent Lowe his Attorney Cometh & Defendeth the wrong & Injury when &c and saith that he did not assume & pmise in manner & forme as the sd John Litchington hath above Declared agᵗ him & of this he puts himself upon the Country and the sd John Litchington likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the next Provincial Court to be held at the Citty of St Maryes the 11th day of ffebruary next being the first day of the same Court; Twelve &c by whom &c who neither &c because aswell &c to Recognize &c & the same day is given to both ptyes.

At wᶜʰ day that is to say the 11th day of ffebruary in the 41th yeare of the Dominion of Caecilius &c Annoq̃ Domini 1672 Came aswell the sd John Litchington by Kenelm Chiseldyne his Attorney as the sd John Maltby by Vincent Lowe his Attorney & the Juroʳˢ of that

Jury likewise Came towit, Thomas Paine Richard Loyd Randall Hanson Marmaduke Sym Henry Hide George Beckwith Richard Ladd Robert Tyler George Johnson W^{m} Thompson, Job Walton and Joshua Doyne who to say the truth in the p^{r}mises being Elected tryed & sworne upon their oathes doe say that they finde for y^{e} p^{lt} One hundred & Twenty pounds Sterł for Damages wth Costs of suite wherefore it is Considered by the Court here that the sd John Litchington Recover ag^{t} the sd John Maltby aswell the sd sum̃e of 120$^{\text{ł}}$ sterł for his Damages in this behalfe Susteined as also the sum̃e of 650$^{\text{ł}}$ of Tob for his Cost and Charges in this behalfe Expended and the sayd John Maltby in mercy &c Liber M M

And Afterwards to wit the same day before the said Justices the said Defend^{t} John Maltby being Convict by the Judgem^{t} of the Court here to pay the said John Litchington as well the said sum̃e of One hundred & twenty pounds sterling for his Damages by Reason of the p^{r}mises as also the sum̃e of six hundred & fifty pounds of Tobacco for Costs of suite by him Expended in & about the psecution of the said suite thereupon the said Defend^{t} John Maltby is by the Court Committed to the Keepers of the prison of the said Lord Proprietary in Execution for the said One hundred & Twenty pounds sterling. and the said six hundred & fifty pounds of Tobacco costs there to Remaine until he hath satisfyed the said John Litchington the said sum̃e of 120$^{\text{ł}}$ sterling and the said sum̃e of 650$^{\text{ł}}$ Tobacco whereof by the Judgem^{t} of the Court he is Convict as aforesayd. p. 148

By p^{r}tence whereof the said Luke the said Eleaventh day of ffebruary in the said 41th yeare of the Dominion of Caecilius &c aforesayd at the barre of the said Court into his Custody tooke and him so into his Custody taken did leade to the prison of him the said Lord Proprietary at the plantation of him the sd Luke in the sd County of St Maryes and him the sd John in the prison of him the sd Lord Proprietary at the plantation of him the sd Luke aforesayd in the sd County of St Maryes in his Custody had in Execution of and for the said Debt of one hundred & twenty pounds sterling & 650$^{\text{ł}}$ Tobacco costs of suite untill y^{e} 2^{d} day of May in y^{e} 41th yeare afd̄ & him y^{e} sd Jn^{o} Maltby so in Execution for y^{e} sd 120$^{\text{ł}}$ sterł & 650$^{\text{ł tob}}$ costs of suite und^{r} the Custody of the sd Luke then Sheriff of the sd County of St Maryes and Keep of the prison of the sd Lord Proprietary being, the same Luke afterwards that is to say the same second day of May in the 41th yeare aforesd at Cannow Neck in the County of St Maryes aforesayd the same John Maltby wthout leave and ag^{t} the will of him the sd John Litchington out of the Custody of him the sd Luke suffered to Escape & to goe at large whether he would the said John Litchington for the said One Hundred & Twenty pounds Sterł & six hundred and fifty pounds of Tobacco costs of suite or any penny thereof then being altogether unsatisfyed by w^{ch} an accõn Doth accrue unto the sd John Litchington to Require &

Liber M M have of the sd Luke the sd One hundred & Twenty pounds sterling & six hundred and fifty pounds of Tobacco notwthstanding w^{ch} the sd Luke though often Requested the sd sum̃e of 120^{l} sterl̄ & 650^{l} of Tobacco hath not payd to the sd John Litchington but the same to him to pay hath altogether refused and still doth Refuse whereupon he saith he is Damnifyed and hath losse to y^{e} vallue of One hundred and fifty pounds sterling & thereupon he bringeth his suite.

And the sd Luke Gardner by Robert Carvile his Attorney Cometh & Defendeth the force & injury when &c and sayth that he the sd Luke doth not owe to him the sd John the sd sum̃e of One hundred and Twenty pounds sterling & six hundred and fifty pounds of Tobacco or any penny or pt thereof in manner & forme as the sd John hath above Declared ag^{t} him, and of this he puts himself upon the Country and the sd John Litchington likewise

Therefore Comaund is given to the Coroner of St Maryes County p. 149 that he cause to Come before the Justices of the next Provincial Court, to be held at the Citty of St Maryes the Tenth day of ffebruary next being the first day of the said Court twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes.

At w^{ch} day that is to say the Tenth day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq̧ Domini 1673 Came aswell the said John Litchington by Kenelm Chiseldyne his Attorney as the said Luke Gardner by Robert Carvile his Attorney and the Juro^{rs} of that Jury likewise Came to wit William Stevens William Boarman Robert Henley William Groome James Bowling Daniel Clocker Henry Bonner Walter Hall Thomas Momford John Brooke Leonard Green and John Shankes who to say the truth in the p^{r}mises being Elected tryed and sworne upon their oathes doe say that they finde for the Defend^{t} with Costs of suite, wherefore it is Considered by the Court here that the sd Luke Gardner recover ag^{t} the sd John Litchington the sum̃e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said John Litchington in mercy &c.

John Litchington
ag^{t}
Luke Gardner

Luke Gardner gentl̄ Sheriff of the County of St Maryes was sum̃oned to answere unto John Litchington in a plea that he Rend^{r} unto him the sum̃e of Twenty Thowsand six hundred and fifty pounds of Tobacco w^{ch} to him he oweth and unjustly Deteineth &c.

And whereupon the said John Litchington by Kenelm Chiseldyne his Attorney saith that whereas the sd John Litchington formerly that is to say at a Provincial Co^{rt} held on the Eleaventh day of ffebruary in the 41th yeare of the Right hono^{ble} Caecilius absolute Lord and Proprietary of this Province before the Justices of the said

Lord Proprietary at the Citty of St Maryes thereunto assigned by Kenelm Chiseldyne his Attorney Came and brought then there in the said Court his Certeine action agt one John Maltby in a plea of Trespas upon the Case, the Tenor whereof followeth in these words. Comaund was given to the Sheriff of St Maryes County that he should take John Maltby late of St Maryes Citty Marchant and him safely Keepe so that he have his body before the Justices of the Provincial Court to be held at the Citty of St Maryes the 11th day of ffebruary next to answere unto John Litchington of a plea of Trespas upon the Case at wch sd day came aswell the sd John Litchington by Kenelm Chiseldyne his Attorney as the sd Maltby in his pp pson by the Sheriff of the County aforesayd brought to the barre, and the sd Sheriff now Retornes that he tooke the body of the sd Defendt & that he now had him Ready upon wch the sd Defendt being ordered by the Court here to put in Special bayle in the sd Courte here to answere the sd action & pay the Condemnacōn or rendr his body to the Keep̄ of the prison of the Lord Proprietary if he should in the sd action be Convict the said Defendt Rendered himself to the prison aforesayd upon wch the sd John Maltby is by the Court Comitted to the sd prison therefor to Remaine untill he shall pforme the said ordr. **Liber M M**

John Maltby late of the Citty of St Maryes Marchant was attached to answere unto John Litchington in a plea of Trespas upon the Case.

And whereupon the said John Litchington by Kenelm Chiseldyne his Attorney Complaineth that whereas the sd John Maltby by the name of John Maltby Marchant by a certeine writing obligatory bearing date the 23th day of November in the 23th yeare of his Majestyes Reigne Annoq̃ Domini 1671 did Covenant bargaine and agree with one John Quigley by the name of John Quigley of Virginia Marchant that the sd John Maltby and one certeine John Nethway or Either of them or their ordr should well and truly Deliver to the said John Quigley or his ordr at the arrivall of the said ship called the Mary of London whereof John Litchington is Comaundr and then Riding at Anchor in the Governmt of New Jersey and bound for ffiall and thence to Virginia to say fifty Pypes of Marchantable ffiall wines to be Rackt and full upon the Receipt whereof the sd John Quigley did thereby p̄mise to pay unto the abovenamed ptyes or their ordr the sume of One Thowsand Two hundred pounds of good Marchantable Tobacco and Casque to be punctually Delivered within thirty dayes after the said ships arivall in Virginia wthout fraud or further delay for the Just and true pformance of wch bargaine or Contract they seurally bound themselves their heires Executors Administrators in the sume of five hundred pounds sterling to be leavyed on the pty that shall not pforme that agreemt as by the said writings sealed with the seales of ye sd John Maltby and John Quig- **p. 150**

Liber M M ley fully appeareth and whereas the sd John Litchington afterwards to wit the 29th of Novemƀ aforesd in ye yeare afd did at the speciall Instance & Request of him the sd John Maltby by a Certeine writing obligatory whose date is the day and yeare aforesd for the greater security & true pformance of the sd bargaine and agreemt the said John Litchington to the sd John Quigley together with the said John Maltby at the Request of the same John Maltby graunted himself to be holden to the sd John Quigley in the sum̃e of five hundred pounds sterling with Condicion for pformance of the sd agreemt & himself agt the sd John Quigley in pledge put for the sd five hundred pounds sterling to be pd unto the sd John Quigley upon Non pformance of the sd bargaine wch sd Contract so as aforesđ made betweene the sd John Maltby & the sd John Quigley the sd John Maltby principall Dr at the arivall of the sd ship the sd fifty pypes of wyne according to the Condition did not Deliver but the same to him to deliver altogether refused whereby the same John Quigley afterwards to wit the ninth day of October in the 41th yeare of the Dominion of Caecilius &c Annoq; Domini 1672 at the City of St Maryes by a Certeine plaint agt the sd John Litchington before his Lopps Justices of the Provincial Court leavyed for ye sd 500t by vertu of wch plaint the sd John Litchington was by a writ issued out of the sd Provincial Court Retornable the Eleaventh day of December to the Sheriff of St Maryes County Directed was by the said Sheriff arrested for ye sd debt of 500t sterŀ and by vertu of the same the said 500t sterŀ to ye sd John Quigley payd and gave satisfaction therefore, Nevertheless the same John Maltby although often Requested him the sd John Litchington agt the sd John Quigley for the sd 500ŀ sterŀ whereof he put himself pledge agt the same for p. 151 the same John Maltby hath not acquitted but him to acquit gainsayd and him hitherto acquit gainesaith whereupon the sd John Litchington is Damnifyed and hath damage to the vallue of five hundred pounds sterling and thereupon he bringeth his suite.

And the said John Maltby by Vincent Lowe his Attorney cometh and defendeth the force & Injury &c and saith he is in no wise guilty of the prmises in such manner & forme as the said John Litchington hath by his Declaration objected agt him and of this he puts himself upon the Country and the said John Litchington likewise

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the Provincial Court at the Citty of St Maryes on the Eleaventh day of ffebruary next being the first day of the same Court, Twelve &c by whome &c who neither &c because aswell &c to Recognize &c & the same day is given to both ptyes

At which day that is to say the 11th day of ffebruary in the 41th year of the Dominion of Caecilius &c annoq; Domini 1672 Came aswell the said John Litchington by Kenelm Chiseldyne his Attorney Liber M M as the said John Maltby by Vincent Lowe his Attorney and the Jurors of that Jury likewise Came to wit Thomas Paine Richard Loyd Randall Hanson Marmaduke Semms Henry Hyde George Beckwith Richard Ladd Robert Tyler George Johnson William Thompson Job Walton and Joshua Doyne who to say the truth in the prmises being Elected tryed & sworne upon their oathes doe say that they finde for ye pl̃t Twenty Thowsand pounds of Tobacco Damages & Costs of suite wherefore it is by the Court here Considered that the said John Litchington Recover agt the sd John Maltby aswell the sd sum̃e of Twenty Thowsand pounds of Tob for his damages in this behalfe susteined as also the sum̃e of six hundred and fifty pounds of Tobacco for his Costs and Charges about the suite Expended, and the said John Maltby in mercy &c.

And afterwards to wit the same day before the sd Justices the sd Deft John Maltby being Convict by the Judgt of the Court here to pay the sd John Litchington aswell the said sum̃e of Twenty Thowsand pounds of Tobacco for his Damages by occasion of the prmises as also the sum̃e of six hundred and fifty pounds of Tobacco for his Costs of suite by him Expended in & about the psecution of the sd suite thereupon the sd Deft John Maltby is by the Court Comitted to the Keep of the prison of the Lord Propr̃y in Execution for ye sd 20000l Tob & ye said 650l Tob Costs their to Remaine untill he hath satisfied the sd John Litchington the said sume of 20650l Tob whereof by the Judgt of the sd Court he is Convicted as aforesd.

By prtence whereof the sd Luke the 7th day of ffebruary in the said 41th yeare of the Dominion of Caecilius &c aforesd at the barre of the sd Court into his Custody tooke & him so into his Custody taken did leade to the prison of him the sd Lord Propr̃y at the plantation of him the sd Luke aforesd in the sd County of St Maryes & him the sd John in the prison of him the sd Lord Propr̃y at the plantation of him the sd Luke aforesd in the sd County of St Maryes in his Custody had in Execution of and for the sd Debt of 20000l of Tob & 650l Tob costs of suite untill the second day of May in the 41th yeare afd and him the sd John Maltby so in Execution for the sd 20000l Tob & 650l Tob Costs of suite under the Custody of the sd Luke then high Sheriff of the County of St Maryes and Keep of the prison of the sd Lord Propr̃y being the same Luke p. 152 afterwards that is to say the same second day of May in the one & fortieth yeare aforesayd at Cannow Neck in the County of St Maryes aforesd the same John Maltby without leave and against the will of him the sd John Litchington out of the Custody of him the said Luke suffered to Escape & to goe at Large whether he would the sd John Litchington for the sd Twenty Thowsand pounds of Tobacco & six hundred & fifty pounds of Tobacco costs of suite or any

Liber M M penny thereof then being altogether unsatisfyed by w^{ch} an accōn doth accrue unto the sd John Litchington to Require & have of the said Luke the sd 20000^{l} Tob & 650^{l} Tob costs of suite Notwthstanding w^{ch} the sd Luke though often Required the sd sum̃e of 20650^{l} Tob hath not p̄d to the sd John Litchington but the same to him to pay hath altogether refused & still doth Refuse whereupon he saith he is Damnifyed and hath losse to the vallue of 40000^{l} Tob & thereupon he bringeth his suite.

And the sd Luke Gardner by Robert Carvile his Attorney Cometh & Defendeth the force & injury when &c and saith that he the sd Luke doth not owe unto the sd John the sd sum̃e of 20650^{l} Tob or any pt thereof in manner & forme as the sd John hath above Declared ag^{t} him and of this he puts himself upon the Country and the sd John Litchington likewise.

Therefore Comaund is given unto the Coron^{r} of St Maryes County that he Cause to Come before the Justices of the next Provincial Court twelve &c by whome &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes

At w^{ch} day that is to say the tenth day of ffebruary in the 42th yeare of y^{e} Dominion of Caecilius &c Annoqȝ Domini 1673. before the said Justices Came the said Defend^{t} Luke Gardner by Robert Carvile his Attorney & the said p^{lt} John Litchington being solemnly Called to psecute his said writ appeared ṇot whereupon the said Deft Craved a Nonsuite might be awarded ag^{t} him; and the Court ordered the same, wherefore it is Considered by the Court that the sd John Litchington lose^{s} his writ in this behalfe sued out and have no benefit thereby and that the sd Luke Gardner Recover ag^{t} the sd John Litchington the sum̃e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said John in mercy for his false Complaint

John Charlesworth ag^{t} Mathias Decosta	Mathias Decosta late of St Maryes County planter was sum̃oned to answere unto John Charlesworth in a plea of Trespas upon the case

And whereupon the sd John by Kenelm Chiseldyne his Attorney Complaineth y^{t} whereas the sd Mathias the   day of   in the yeare of our Lord 1672 Depted this Province and left George Charlesworth of the sd County his Attorney gen^{r}ally to act & Doe for the said Mathias in his absence what the said George should thinke fit & Convenient, the sd George Charlesworth afterwards to wit the 10th day of March in the yeare aforesayd did by Articles of agreem^{t} und^{r} hand & seale Covenant & Agree wth the sd John Charlesworth as an Overseere to looke after & take Charge of what servants stock and Cattle and other thinges w^{ch} was then upon the plantation of the sd Mathias and by the sd writing the

Liber M M p. 153

sd George did oblidge himself to give unto the sd John the halfe of the Corne and Tobacco that should be made upon the sd plantation that yeare afterwards the said Mathias arriving in this Province did the 28th day of Aprill in the yeare of our Lord 1673 in Consideracōn that the said John Charlesworth at the speciall instance & Request of him the sd Mathias would Release and Discharge him the sd Mathias from the aforesd Covenant & Agreemt made as aforesayd with the said George Charlesworth then Attorney of the sd Mathias, and helpe the said Mathias servants to hill what Ground was left unhilled for the making of that yeares Crop, and would make Choice and accept of ground to plant fifteene Thowsand plants on, the said Mathias did assume upon himself and to the said John Charlesworth did faithfully pmise, that he the sd Mathias would let the said John Charlesworth ground sufficient to plant 15000 plants of Tobacco for that prsent yeare and that the servants of the said Mathias should helpe him the sd John to hill 15000 hills for the same, and the said John in fact saith that he the said John did Release and Discharge the sd Mathias from the sd Articles of Agreemt made as aforesayd, and Did helpe the sd Mathias his servants to hill what ground was left unhilled for that yeares Cropp and Did make Choyce of ground to plant 15000 plants upon and had hilled the Major pt of the sd Ground, Notwithstanding wch the sd Mathias according to his promise the sd ground for fifteene Thowsand plants, and his servants to helpe to hill the same though often Required to him the sd John hath not Rendered but the same hath altogether denyed and Refused or any satisfaction for the same to him the sd John to make doth still Deny and Refuse to the Damage of the said John 8000l Tob, and thereupon he bringeth his suite.

And the said Mathias by Robert Carvile his Attorney Cometh and Defendeth the force and injury when &c and saith that he Did not assume upon himself nor to the said John did promise as by the said John is above Declared agt him, and of this he puts himself upon the Country and the said John likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the next Provincial Court to be held at the Citty of St Maryes the Tenth day of ffebruary next, Twelve &c by whom &c who neither &c because aswell &c to Recognize &c and the same day is given to both ptyes.

At wch day that is to say the 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq; Domini 1673. Came aswell the sd John Charlesworth by Kenelm Chiseldyne his Attorney as the said Mathias Decosta by Robert Carvile his Attorney and the Jurors of that Jury likewise came to wit William Groome Edmond Webb Vincent Atchinson John Nuthall Michael Miller Henry Jowles Robert Waterson John Wright Walter Hall Rogr Baker and Thomas Spinke & James Nuthall who to say the truth in

Liber M M the p^{r}mises being Elected Tryed & sworne upon their oathes doe say they finde for the p^{lt} wth Costs of suite, and because the Juro^{rs} have not assessed what Damage the sd p^{lt} susteined by occasion aforesayd, the Court ordered a writ of Inquiry of Damages in this Cause to issue to the Sheriff of St Maryes County Retornable next Co^{rt}, and Continue the Cause untill then, and the same day is given to both ptys

p. 154 John Shankes
ag^{t}
Edward Connery

This action of Ejectm^{t} being Comenced by John Shankes only as a Casuall Ejector ag^{t} Edward Connery, Nehemiah Blackiston and Elizabeth his wife being Lesso^{r} p^{lts} to try the Title of a pcell of Land in Dispute betweene the said Nehemiah Blakiston and the sd Edward, and the Court finding it necessary that the bounds of both psons be Surveyed by a skilfull pson according to their Respective Deeds from Thomas Gerard Esq Deceased, and that a faire Plot & Certifficate thereof be Retorned to the Court. It is by the Court this day Ordered that M^{r} Charles Boteler of the County of Calvert gentl Dep^{t}y Surveyo^{r} to the hono^{ble} Baker Brookes Esq Surveyo^{r} Gen^{r}all of this Province be Especially appointed by this Court & is hereby appointed Empowered and Comaunded to lay out the lands of Nehemiah Blackiston and Edward Connery aforesayd according to their Respective Deeds from the sd M^{r} Gerard in p^{r}sence of the Sheriff of St Maryes County who is hereby Comaunded and Empowered to sumon and Empannell a Jury upon the sd land and to Examine witnesses upon oath, that the truth of the matter may be fully Discovered, and the said Surveyo^{r} is hereby ordered to Runn his lines according to Evidence then given and the Direction of the Jury, and to Returne a Certifficate of his pceedings herein, and a fayre plot Distinctly Drawne of the lands in question together with the Evidence that was sworne to the next Provincial Co^{rt} attested und^{r} the hand aswell of the said Surveyo^{r} as of the said Sheriff, that so his Lo^{pps} Justices here being fully informed of the truth of the p^{r}mises may Doe theirein as to Justice apperteineth.

Upon a mocōn in Co^{rt} made by M^{r} Carvile one of the Attorneys of this Co^{t} whether the Sheriff be obliged to take special bayle upon
Rule Every action, It is by the Co^{rt} this Day (the act of Assembly touching the same being Read) Ordered that the Respective Sheriffs hereafter take Bayle to appeare only and if their be occasion for special bayle, that then it be Required in Court by the p^{lts} Attorney.

John Wells
ag^{t}
Thomas Chandler &
William Russell

To the Justices of the Provincial Court.

Bee it Remembered that John Wells who aswell for the Lord Proprietary as for himself in this behalfe psecutes Came before Philip Calvert

Esqꝫ one of the Justices of the Provincial Court the 20th day of Liber M M October in the 42th yeare of the Dominion of Caecilius &c in his pp pson and aswell for the said Lord Proprietary as for himself giveth the Court here to understand and be informed that Thomas Chandler and William Russell of Ann Arundell County Ordinary Keeps betweene the third day of Aprill in the 41th yeare of the Dominion of Caecilius &c aforesayd and the 12th day of September in the 42th yeare of the Dominion of Caecilius &c aforesayd did utter & sell and Charge to accompt to the said John Wells at seurall times Diverse & sundry sorts of Drinke mixed with Sugr and Lemanado not Expressing or setting Down seurall Ingredients to the said Mixture according to the Rates by Act of Assembly limited, To wit five quarts of sack and sugr Two quarts of sack and sugr six bottles of sack and sugr, six bottles of sack and sugr foure bottles of sack and sugr foure bottles of sack and sugr one bottle of sack and p. 155 sugr, and one quart of sack and sugr, one bowle of Lemenado, and one bowle of Lemenado and One Bowle of Lemenado, one quart of syder & sugr, and one pottle of syder & sugr agt the act of Assembly in this Case made and provided, whereby the same Thomas Chandler and William Russell have forfeited for Each seurall offence the sum̄e of five hundred pounds of Tobacco over and above the price of the said liquors so Charged to account which in the whole amounts to 6500l Tob, whereupon the said John Wells aswell for the said Lord Proprietary as for himself prayeth the advise of the Court in & upon the premises and that he the said John Wells may have the moyety of the forfeiture according to the forme of the Act of Assembly aforesayd, and also that the said Thomas Chandler and William Russell may Come here into Court & answere in & upon the prmises.

On the backside of the foregoing informacōn was thus written. M̄d that this 20th day of October 1673. John Wells made oath that the offence within Charged upon Thomas Chandler and William Russell was Comitted wthin the Twelvemoneths. Philip Calvert.

And hereupon it is Comaunded to the same Thomas Chandler and William Russell that all other thinges set apt and all Excuses waved they be & psonally appeare here on Tuesday being the Eleaventh day of November next to answere in & upon the prmises.

Att wch said Eleaventh day of November the aforesayd Thomas Chandler and William Russell by George Parker their Attorney Come and Defend the force and Injury when &c and say that they are in nothing guilty of the prmises layd to their Charge in manner and forme as the said John Wells who follows aswell for the Right honoble the Lord Proprietary as for himself by his Informacōn aforesayd hath above supposed and of this they put themselves upon the Country and the said John Wells who aswell &c likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the next pvincial Court

Liber M M Twelve &c by whom &c who neither &c because aswell &c to Recognize &c.

At wch day that is to say the 10th Day of ffebruary in the 42th year of the Dominion of Caecilius &c Annoqꝫ Domini 1673. Came aswell the sd John Wells who aswell &c by Vincent Low his Attorney as the said Thomas Chandler & Wm Russell by George Parker their Attorney and the Jurors of that Jury likewise Came to wit William Groome Edmond Webb Vincent Atchinson John Nuthall James Nuthall Michael Miller Thomas Walker Henry Jowles Robert Waterson John Wright Jonathan Squire and John Charlesworth who to say the truth in the prmises being elected tryed & sworne upon their oathes doe say that they finde the Informac̄on agt the sd Russell and Chandler to be True, whereupon it is Considered by the Court here that the said Thomas Chandler & William Russell Doe forfeit the [price] of the liquors Charged to account in the informac̄on aforesayd as also that the [sd] John Wells who aswell &c Recover agt the said Thomas & William the sd sum̄e of six Thousand five p. 156 hundred pounds of Tobacco in the sd informac̄on aforesayd specefyed, the one Moyety thereof to the Right honoble the Lord Proprietary, the other moyety to the said John Wells as informer due to him according to act of Assembly in this Case pvided and that the said John Wells Recover of the said Thomas & William the Sum̄e of Seven hundred Seventy Six pounds of Tobacco more for his Costs & Charges by him Expended in and about the psecution of the aforesd informac̄on and the sayd William & Thomas in mercy &c.

John Wells
agt
Thomas Chandler &
William Russell

To the Justices of the Provincial Court.

Be it Remembred that John Wells who aswell for the Lord Proprietary as for himself in this behalfe psecutes Came before Philip Calvert Esqꝫ one of the Justices of the said Provincial Court the 20th day of October in the 42th yeare of the Dominion of Caecilius &c in his pp p̄son and aswell for the said Lord Proprietary as for himself giveth the Court here to understand and be informed that Thomas Chandler and Wm Russell of Ann Arundell County Ordinary Keeps between the third day of Aprill in the 41th yeare of the Dominion of Caecilius &c aforesayd & ye ninth day of August yn next following did utter sell and Charge to accompt to one Certeine Robert Wells at seurall times diverse and seurall sorts of liquors as syder Rum and sack mixed with sugr not Expressing or setting downe the seurall Ingredients to the said mixture according to the Rates by act of Assembly limited to wit Two gallons of syder and sugr one gallon of syder and sugar one gallon of syder and sugr three Pottles of syder and sugr One pottle of syder and sugr two gallons of syder and sugr. one gallon of syder and sugr one pottle of syder and sug^r^ one pottle of syder and sug^r^ six gallons of syder and sug^r^ five gallons of syder and sug^r^ foure pottles of syder and sug^r^ six pottles of sider and sug^r^ foure quarts of syder and sug^r^ foure gallons of syder and sug^r^ one pinte of Ruum and sug^r^ two quarts of Rumm and sugar three bottles of sack and sug^r^ foure quarts of sack and sug^r^ against the act of Assembly in that case made and provided Whereby they the said Thomas Chandler and William Russell have forfeited for Each seu^r^all offence the sume of five hundred pounds of Tobacco over and above the price of the sd liquors so charged to accompt which in the whole amounts to the sume of Tenn Thowsand pounds of Tobacco, whereupon the said John Wells aswell for the said Lord Proprietary as himself in this behalfe prayeth the advice of the Court and that he the said John Wells may have the Moyety of the said forfeiture according to the forme of the sd act of Assembly and also that the said Thomas Chandler and William Russell may Come here into Court & answere in & upon the premises. Liber M M

On the backside of y^e^ foregoing informacōn was thus written (vizt) Memorandum that the 20^th^ day of October 1673 John Wells made oath that the fact within Charged upon Thomas Chandler and William Russell was Committed within twelvemoneths.

Philip Calvert.

And hereupon it is Comaunded to the said Thomas Chandler and Willm Russell that all things set apt and all Excuses waved they be and psonally appeare here on Tuesday being the Eleaventh day p. 157
of November next to answere in and upon the premises &c.

At which said Eleaventh day of November the aforesayd Thomas Chandler & William Russell by George Parker their Attorney Come and Defend the force & injury when &c and say that they are in nothing guilty of the premises Layd to their Charge in manner & forme as the said John Wells who followes aswell for the Right hono^ble^ the Lord Proprietary as for himself by his informacōn aforesd hath above supposed and of this they put themselves upon the Country and the said John Wells who aswell &c likewise.

Therefore Comaund is given to the Sheriff of St Maryes County that he Cause to Come before the Justices of the next Provincial Court at the Citty of St Maryes the Tenth day of ffebruary next Twelve &c by whom &c who neither &c because aswell & to Recognize &c and the same day is given to both ptyes.

At w^ch^ Day that is to say the Tenth day of ffebruary in the 42^th^ yeare of the Dominion of Caecilius &c Annoq Domini 1673. Came the said John Wells who aswell &c by Vincent Lowe his Attorney and offered himself ag^t^ the said Thomas Chandler and William Russell of and upon the p^r^mises, and the said Thomas Chandler and William Russell appeared not but made Default wherefore it is Con-

Liber M M sidered by the Court here that Judg^{t} be awarded ag^{t} the said Thomas Chandler and William Russell according to the informacōn aforesayd by Default, and that the sd Thomas and William doe forfeite the price of the liquo^{rs} Charged to accompt in the informacōn aforesayd as also that the said John Wells who aswell &c Recover ag^{t} the said Thomas and William the said sum̃e of Tenne Thowsand pounds of Tobacco in the said informacōn aforesayd specefyed, the one Moyety thereof to the Right hono^{ble} the Lord Proprietary the other Moyety thereof to the said John Wells as Informer due to him according to act of Assembly in this Case made & provided, and that the said John Wells Recover of the said Thomas and Will̃m the sum̃e of three hundred Seventy two pounds of Tobacco more for his Costs and Charges by him Expended in and about the psecution of the aforesayd informacōn and the said William and Thomas in mercy &c.

Thomas Dent ag^{t} Jonathan Squire } Jonathan Squire late of St Maryes County Adm^{r} of the goods and Chattells of John Morecroft Deceased was attached to answere unto Thomas Dent in a plea of Trespas upon the Case.

And whereupon the said Thomas by Vincent Lowe his Attorney Complaineth that whereas the said John Morecroft the 28th day of Aprill in the yeare 1673 stood Indebted to the said Thomas Dent the sum̃e of Three thowsand seaven hundred and fifteene pounds of Tobacco for Diverse goods and Marchandizes sold and Delivered to the said John in his life time a pticuler whereof is here in Court pduced In Consideracōn whereof the said John did assume upon himself and to the said Thomas Did faithfully promise that he the said John when thereunto Required the sd sum̃e of 3715^{l} Tob to him the p. 158 sd Thomas would well and truly content & pay, Notwithstanding w^{ch} the said John in his life time nor the said Jonathan since his Death to whom Admcoñ of all and singuler the goods and Chattells w^{ch} were the said Johns at the time of his Death since his Death hath beene Comitted hath not payd but the same to pay Denyes to the Damage of the sd Thomas of Two Thowsand pounds of Tob and thereupon he bringeth his suite.

And the aforesayd Jonathan Squire in his pp pson Cometh and Defendeth the force and injury when &c and saith nothing in barre of the action of the aforesayd Thomas Dent brought as aforesayd for the said sum̃e of three Thowsand seaven hundred and fifteene pounds of Tobacco, wherefore it is Considered by the Court here that the sd Thomas Dent Recover ag^{t} the said Jonathan Squire of the goods of the sd John Morecroft in his hands remaining aswell the said sum̃e of three thowsand seaven hundred & fifteene pounds of Tobacco his Debt aforesd as also the sum̃e of   pounds of Tobacco for his Costs and Charges in this behalfe Expended and the said Jonathan in mercy &c. Liber M M

In a Cause Depending betweene Thomas Gannt plt & Mathew Smith and ffrancis Gunby Defts: John Gittings being sum̄oned as a witnes is allowed 150l Tob for Charges in his attendance

Henry Bonner
agt
Josias ffendall

Upon a scire fac upon a Judgt formerly obteined agt the sd ffendall by Elizabeth Story Adm̄x of Walter Story deceased and now wife to the said Henry Bonner, Mr Robert Carvile Attorney for the Defendt Did Engage in open Court to give a Release of Errors to the sd Judgemt and that the sd Josias ffendall should pay to the plaintiffe three hundred and fifty pounds of Tobacco in full of the sd Judgemt which being payd the said Henry Bonner did Engage to acknowledge upon Record satisffaction for the full of the sd Judgemt.

Charles Delaroach
agt
Mathew Reade

John Balley
agt
John Russell

Richard Balley
agt
William King

Domine Bodkin
agt
John Allen

Rd Covell & Tho Groves
agt
Henry Mitchell

The seurall Defendts appear by their Respective Attornyes and imple untill the next Provincial Court and the same day is given to all ptyes.

James Thompson
agt
Wm Marlowe

Upon a scire fac to the Sheriff of Charles County directed to make Knowne to the Defendt to appeare this day to show Cause why Execution should not issue agt him at the suite of the plt upon a Judgt formerly obteined agt him by the plt in this Cort for 378l Tob debt & 966l Tob Costs in all 1344l Tob, and the Sheriff having retorned the said writ Executed, and the said Defendt nor any Attorney for him appearing to show Cause to the Contrary, ordered that Execution thereupon issue according to the sd Judgemt. p. 159

John Balley
agt
Raymd Stapleford

Comaund was given to the Sheriff of Dorchester County that whereas at a Provincial Court held at the Citty of St Maryes the 21th of December

Liber M M 1669 John Balley had and obteined a Judgemt agt Raymond Stapleford for the sum̃e of six thowsand three hundred forty five pounds of Tobacco for wch Execution issued to the Sheriff of Calvert County which said Sheriff leavyed to the vallue of three thowsand six hundred and fifty pounds of Tobacco of the goods and Chattells of the said Raymond Stapleford wch was all that Could be found in his Baliwick, out of wch sd sum̃e was allowed the sd Sheriff five hundred pounds of Tobacco for ffees so that their Remaines yet unsatisfyed three thowsand Two hundred forty five pounds of Tobacco wth costs of suite It was therefore Comaunded to the said Sheriff that by good and lawfull men of his Baliwick he should make Knowne to the sd Raymond that he be before the sd Justices this day to show Cause if any he had why Execution should not issue forth against him for the said sum̃e of 3245l Tob & 125l Tob costs of suite.

At wch sd day to wit the Tenth day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. Came the sd Raymond (the sd Sheriff having made Knowne to him as by the sd writ he was Comaunded) in his pp pson and no Cause did show satisfactory to the Court here why Execution should not issue agt him as aforesayd wherefore Ordered by the Court here that Execution issue agt the sd Raymond Stapleford for aswell the sd sum̃e of 3245l Tob as also for the sum̃e of 125l Tob Costs in all 3370l Tob accordingly.

Philip Shapleigh & ux agt Richard Patty
The same agt Samuell Jackson

The Sheriff of Somerset County having Retorned a Cepi upon these Two writs & neither of the Defendts appearing ordered that in Each Cause the Sheriff be amerced forty shillings unless they appeare the next Cort by themselves in pson or Attorney.

p. 160 Mr Walter Hall peticions this Court that Whereas upon the 11th day of Aprill 1672 John Balley of this County of St Maryes, was by this honoble Court Comitted prisoner into the Custody of the petr (being then under Sheriff of this County) and so Continued untill the 16th day of May next following, At wch time the petr did Rendr the sd Balley with other prisoners up into the Custody of the new Sheriff Capt Luke Gardner by Indenture. But now the said Balley being at liberty Refuseth to pay the petr the ffees of his Imprisonmt wch Comes to seaven hundred and Twenty pounds of Tobacco, although allowed him by this Court in his bill of Charges at suite of Capt James Neale, wherefore the petr Craveth ordr agt the prsent Sheriff for the said ffees of 720l Tob, who ought in Right to have secured the same from the said Balley before his Enlargemt or else

Liber M M

that the sd Sheriff may take the sd Balley into Custody untill he pay and satisfy the same unto the petr.

which peticion being Read & heard the said Capt Luke Gardner here prsent in Court, the Justices here are all Clearly satisfyed that Capt Gardner was bound to have secured the former Sheriffs ffees before he pted with Balley, and that he may Keepe Balley while he payes it & the Court doe ordr the said Luke Gardner to pay unto Lt Coll John Jarbo or his ordr the said sum̄ of seaven hundred Twenty pounds of Tobacco ffees to him due as he was at that time high Sheriff of St Maryes County and had the said Balley so long his prisoner.

It is by the Court this day ordered that from henceforth the practice in this Cort be that no attachmt issue agt any psons goods that is a Resident in the Country untill their have beene Two non est inventus's retorned by the Sheriff of Two seurall Capias; and upon two such non est inventus retorned as aforesd attachmt to issue.

Tho: How of Calvert County being Retorned of a Jury & not appearing being fined 500l Tob, the sd How made it appeare this day that he was at that time a prisoner wherefore ordered his fine be Remitted

Elizabeth Young
agt
Wm Smith
Wm Worgan
agt
Anthony Dawson
Mathew Ward
agt
John Scot
John Nethway
agt
Thomas Warner

The seurall Sheriffs to whome these writs were Directed having Respectively Retorned upon Every one of them a Cepi, and the Defendts appearing not by themselves or Attorney, Ordered that the said Sheriffs be in mercy 40s for Each writ if they bring not ye Defendts next Cort

p. 161

Richard Moy
agt
Wm Baker
Richard Moy
agt
James Lewis
Wm Russell & Tho Chandler
agt
John Wells

Liber M M Mary Pyne
ag^{t}
John Wright
Demetrius Cartwright
ag^{t}
Tho: Mountfort
James Nuthall
ag^{t}
Marke Cordea
Stephen Merty
ag^{t}
Henry Bonner
Michael Miller
ag^{t}
W^{m} Head

In these Eight seu^{r}all Causes the Respective Defendts appeare by their pticulare Attornyes and imple untill the next Provincial Court.

Demetrius Cartwright
ag^{t}
John Watkins

Comaund was given unto the Sheriff of Talbot County that he should take John Watkins late of Talbot County otherwise Called John Watkins of Patuxent River in the Province of Maryland Sawyer so that he might have his body before the Justices of the Provincial Co^{rt} this p^{r}sent Tenth Day of ffebruary to answere unto Demetrius Cartwright in a plea that he Rend^{r} unto him the sum̄e of 1262^{l} Tob. w^{ch} to him he oweth & unjustly Deteineth

And whereupon the said Demetrius by Kenelm Chiseldyne his Attorney saith that whereas the said John the fifth day of January in the yeare of our Lord 1668 by his Certeine writing obligatory sealed wth the seale of the said John & here in Court pduced whose date is the same day & yeare abovewritten did acknowledge himself to owe & be indebted to the said Demetrius of the same place abovesd in the full & Just sum̄e of 1262^{l} of good sound Marchantable leafe Tobacco in Casque, according to act of Assembly to be pd upon Demaund at some Convenient place in Patuxent River unto the sd Demetrius Cartwright his heirs Executo^{rs} Adm^{rs} or Assignes & to p. 162 w^{ch} paym^{t} well & truly to be made did binde himself his heires Executo^{rs} Adm^{rs} firmly by those p^{r}sents, Notwthstanding w^{ch} the sd John the sd sum̄e of Twelve hundred sixty Two pounds of Tobacco according to the Teno^{r} of his said bill hath not payd though often thereunto Required but the same to pay altogether Denyes to the Damage of the sd Demetrius 2000^{l} Tob. & thereupon he bringeth his suite.

And now here at this day to wit the sd 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673 the sd Sheriff of Talbot County Retornes to the Court here that the sd John Watkins is not to be found in his Baliwick, whereupon this being the second non est Inventus Retorned in this Case the sd Demetrius of the Court here prayeth attachmt agt his goods &c according to act of Assembly. and it is by the Court here graunted unto him Retornable ye next Provincial Court & the same day is given to both ptyes.

Demetrius Cartwright
agt
Rowland Anderson

In this Cause the Sheriff of Calvert County having made no Retorne of the writ, and the plt alledging that the said Defendt was arrested, Mr Robert Carvile one of the Attornyes of this Court, Did informe this Court, that the Sheriff of Calvert County tould him that he had left a writ at home, wch he should have Retorned & that the sd Sheriff was gone to fetch it, and the Court beleiving that it might be this writ agt Anderson; Ordered by the Court here that unlesse the sd Anderson appeare next Court in pp pson or by Attorney that the sd Sheriff be amerced 40s.

John Offley
agt
Richard Meekins

Comaund was given to the Sheriff of Dorchester County that he should take Richard Meekins late of Dorchester County otherwise Called Rd Meekins, so that he might have his body before the Justices of the Provincial Court this prsent Tenth day of ffebruary to answere unto John Offley in a plea that he Rendr unto him the neate quantity of One Thowsand & fifty foure pounds of neate Porke wch to him he oweth & unjustly Deteineth.

And whereupon the sd John Offley by Kenelm Chiseldyne his Attorney saith that whereas the sd Richard Meekins upon the 16th day of October in the yeare of our Lord 1672 did by his Certeine writing obligatory sealed wth the seale of the sd Richard & here in Court pduced whose date is the same day & yeare abovewritten did binde himselfe to pay or Cause to be pd to the sd John Offley at his now Dwelling house in Patauxent River the neate quantity of Two hundred fifty foure pounds of neate Porke good Conditioned & in p. 163 good ordr & whereas the sd Richard Meekins the 18th day of November in the yeare of our Lord 1672 did by his Certeine other bill obligatory Sealed with the seale of the said Richard here in Court pduced whose date is the same day & yeare aforesd̄ did binde himself his heires Executors Admrs & assignes to pay or Cause to be payd unto the said John Offley his heires Executors Admrs or Assignes the neate quantity of Eight hundred pounds of neate Porke to be pd at his owne landing, Notwthstanding wch the sd Richard Meekins the sd sum̄e of Two hundred fifty foure pounds of porke pt of the sd 1054l of Porke though often thereunto Required hath not payd according to the Tenor of his said bill but the same denyes nor the sd 800l Porke residue of the sd 1054l Porke hath not pd according to the Tenor of his said other bill but the same to pay

Liber M M altogether denyes to the Damage of the sd John Offley three Thowsand pounds of Tobacco and thereupon he bringeth his suite.

And now here at this day to wit the sd 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. the sd Sheriff of Dorchester County Retornes that the said Richard Meekins absconds himself and lyes hid so that him he Cannot take as by the sd writ he was Comaunded. whereupon the said John Offley of the Court here prayeth attachmt agt his goods &c according to act of Assembly, and it is by the Court here graunted unto him Retornable the next Provincial Court. and the same day is given to both ptyes

Constant Daniel agt Richard Meekins } Richard Meakins late of Dorchester County otherwise called Richard Meakins of Dorchester County in the Province of Maryland was Sum̄oned to answere unto Constant Daniel in a plea that he rendr unto him the sum̄e of 460l of good grose porke.

And whereupon the said Constant by Kenelm Chiseldyne his Attorney saith that whereas the said Richard the 5th Day of September in the yeare one Thowsand six hundred Seaventy and
by his Certeine writing obligatory sealed with the seale of the sd Richard and here in Court pduced whose date is the same day and yeare abovewritten did binde himself his heires Executors Admrs or assignes to pay or Cause to be payd unto the sd Constant Daniel of the County of St Maryes in the aforesd Province his heirs or assignes the full and Just sum̄e or quantity of foure hundred & sixty pounds of good grose Porke to be Delivered at the now prsent Landing of William Asbiston scituate at the Lower End of the Towne in St Maryes County at or upon the Tenth day of Decemb̄ next Ensueing the date thereof the sd Constant Daniel being to stand to all Damages of Coming by water Notwithstanding wch the sd Richard the sd quantity of foure hundred & sixty pounds of good p. 164 grosse porke according to the Tenor of his said bill though often Required hath not payd to him the sd Daniel but the same still to pay doth altogether deny to the Damage of the said Constant 2000l Tob & thereupon he bringeth his suite.

And now here at this day to wit the said 10th day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Domini 1673. the said Sheriff of Dorchester County Retornes to the Court here that the said Richard Meekins absconds himself and lyes hid so that him he Cannot take as by the said writ he was Comaunded, whereupon the said Constant Daniel of the Court here prayeth attachmt, agt his goods &c according to act of Assembly and it is by the Court here graunted unto him Retornable the next Provincial Court & the same day is given to both ptyes.

Liber M M

Mary Thomas
agt
John Allen
ffrancis Knight
agt
John Wells
Cornelius Comagys
agt
John Wells
Timothy Lindall
agt
Philip Shapleigh

The severall Defendts in these actions appeare by their Respective Attorneys and imple untill the next Provincial Court.

Maryland ss. By his Excellency The Capt Generall.

Whereas their was graunted undr the greate Seale of this Province unto John Harris of London Marchant a certeine pcell of land Called the Mannor of Grafton lyeing on the Northside of Choptanke River on the west side of a Creeke in the sd River Called Harris' Creeke Conteyning and form̄ly laid out for One Thowsand acres more or lesse, as by the Certifficate & Graunt thereof Remaining upon Record Relacōn being thereunto had more fully & more at large it doth & may appeare of wch sd pcell of land the Rent hath been behinde & unpayd since the first survey thereof so that the sd land by Reason thereof is become Elapsed and Escheated unto the sd Lord Propr̄y according to act of Assembly in that case provided, These are therefore to Require you Stephen Tully Sheriff of the sd County that you Enter in & upon the sd land Called the Mannor of Grafton & of the same that you make seizure for his Lopps use. and how you shall Execute this prcept that you Retorne unto his Lopps Justices of his Provincial Court wth this prcept at the Citty of St Maryes the Tenth day of ffebruary next Given undr my hand and seale at Armes this Eleaventh day of December in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673.

Locus sigilli
Charles
Calvert

p. 165

To Mr Stephen Tully high Sheriff
of Talbot County These.

Underneath the foregoing prcept was thus written vizt I did upon the 31th day of January 1673 in the prsence of John Coop & Robert ffuller make seizure of the land within mentioned called Grafton by taking possession by Turfe and Twigg of a pt of the sd Mannor in the name of the whole, and then and there marked a Chestnut Tree wth the broad arrow not finding the ould bound Tree.

Stephen Tully Sheriff

Charles Delaroch
agt
John Allen

Liber M M The same
agt
The same
Ann Neale
agt
John Allen
James Neale
agt
John Upgate

The seuerall Defendts appeare by their pticular Attornyes who respectively imple untill the next Provincial Court.

Michael Catterton
agt
Timothy Goodridge

Comaund was given to the Sheriff of Talbot County that whereas at a Provincial Court held at the Citty of St Maryes before the Justices of the sd Court the 15th day of December 1669 in a suite Depending betweene Timothy Goodridge Admr of all and singuler the goods and Chattells of George Richardson Deceased plt & Michael Catterton Defendt a nonsuite was awarded agt the sd Timothy Goodridge & the sd Michael Catterton had Judgt agt the sd Goodridge for nine hundred pounds of Tobacco for his Costs and Charges Expended in the said suite And for that Execution hath not as yet beene issued agt the sd Goodridge for the same the sd Sheriff was therefore Comaunded that by good and lawfull men of his Baliwick he should make Knowne to the sd Timothy Goodridg[e] that he be before the Justices of the Provincial Court to be held at the Citty of St Maryes the Tenth day of ffebruary next to show Cause if any he have why Execution should not be issued forth agt him upon the sd Judgemt had & obteined agt him by the sd Catterton as aforesd.

p. 166 At wch Day Came the said Timothy Goodridge by Robert Carvile his Attorney and prayeth liberty of speaking in answere to the prmises untill the next Provincial Court whereupon the same is by the Court here put in Respit untill the first day of the next Provincial Court and the same day is given to both ptyes.

Henry Aspinall
agt
Stephen Morley
John Dunstan
agt
John Allen
Hugh Macgaro
agt
Robert Doyne

The pticuler Defendts appeare by their seurall Attornyes and respectively imple untill the next Provincial Court.

Jonathan Squire
agt
Benjamin Cowell

Benjamin Cowell late of St Maryes County was attached to answere unto Jonathan Squire Administrator of the goods and Chattells of John Morecroft Deceased in a plea of Trespas upon the Case.

And whereupon the said Jonathan Squire by Kenelm Chiseldyne Liber M M his Attorney Complaineth that whereas the said Benjamin the day of in the year of our Lord stood indebted unto the said John Morecroft in the full and Just sum̃e of sixty pounds sterling money of England, In Consideracōn whereof the sd Benjamin did assume upon himself & to the said John did faithfully pmise that he the said Benjamin when thereunto Required the said sum̃e of sixty pounds sterling to him the said John would well & truly Content & pay Notwithstanding w^{ch} the sd Benjamin the sd sum̃e of sixty pounds sterling money of England to him the sd John in his life time hath not payd nor to the sd Jonathan since his Death to whome Admcōn of all and singuler the goods and Chattells w^{ch} were the sd Johns at the time of his Death since his Death was Comitted hath not pd though often thereunto Required but the same to pay hath & still doth Deny to the Damage of the sd Jonathan One hundred pounds sterling and thereupon he bringeth his suite.

And the said Jonathan bringeth here also into Court the L^{re} of Admocōn to him graunted of all and singuler the goods and Chattels w^{ch} were the sd Johns at the time of his Death since his Death to him Comitted that it may appeare to the Court here that he is Administrato^{r} of the sd John & thereupon to have the Adcoñ.

Whereupon it was Comaunded to the Sheriff of St Maryes County that he should take the said Benjamin Cowell if found within his Baliwick and him safely Keepe so that he might have his body before p. 167 the Justices of the next Provincial Court to be holden at the City of St Maryes the tenth day of ffebruary next to answere the sd Jonathan in the plaint aforesayd.

At w^{ch} day that is to say the Tenth day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Domini 1673. before the sd Justices at the said Citty of St Maryes the sd Sheriff of St Maryes County Retornes upon the sd writ that the sd Benjamin Cowell is not to be found in his Baliwick. whereupon the said Jonathan prayed of the Court here that an attachm^{t} might be graunted him ag^{t} the goods and Chattells of the said Benjamin according to the act of Assembly in that Case pvided, and it is by the Court here graunted unto him Retornable the next Provincial Cour^{t}. and the same day is given to both ptyes.

Henry Beedle & Sophia his wife
ag^{t}
George Wells Deft

in an accōn of account. On the backside of a Comission issueing out of this Court Dated the 17th of November last past to Nathaniel Heathcot & Robert ffranklyn gentł to audite & state the acc^{ts} betweene y^{e} sd ptyes was thus written. (vizt).

Liber M M Wee Nathaniel Heathcot & Robert ffranklyn being appointed auditors by virtu of the Comission within written did meete at the house of John Larkins upon the 15th day of December within mentioned to audite the accts & to doe & pforme other things within appointed betweene the within named George Wells of the one pt and Henry Beedle & Sophia his wife Executrix of the last will and Testamt of Richard Wells late of Herring Creeke in the County of Ann Arundell Marchant Deceased, and the sd George and Henry after the Comission graunted did submit themselves to the Arbitracōn of Samuel Chew Esqr Thomas Taylor Esqr and to us Robert ffranklyn & Nathaniel Heathcot, and the said Arbitrators meeting have agreed all psonall Differences and Controversyes betweene the said George & Henry both in Law and Equity In Testimoney whereof wee have hereunto set or hands this 19th day of December 1673.

Nathaniel Heathcot
Robert ffranklin.

The Court Adjourned untill the 14th day of Aprill next.

The 26th of ffebruary 1673.

Came Nicholas Bradley of St Maryes County planter & Desired that the Eare marke of his Cattle & Hoggs might be Entred upon Record wch is as followeth

Cropt & underkeeled & Overkeeled on the Right Eare
Slit & overkeeled & Under Keeled on the left Eare.

p. 168 The 22th of August 1673:

Comōn then issued from the honoble Baker Brooke Esqr Surveyor Genrall of this Province to Thomas Pattison of the County of Dorchester gentl to be Depty Surveyor of the said County (as in other Comissions) wth Clause of Revoakation of ye Comōn of Henry Parker, & also to Revoake a Power given to William Hemsly to survey in the sd County for him the said Parker &c.

March 27th 1674

Came Walter Green of St Maries County Carpenter and desired the marke of two Cattle and hoggs might be recorded which is as followeth Vizt Cropt of both eares and two slitts in each eare

March 27th 1674

Came Walter Green of St Maries County Carpenter and desired this marke following might be recorded for Mary Green his daughter of two Redd Cowes which he acknowledge to give to her with their increase to her and her heirs forever Vizt.

Cropt and two Slitts in the right eare, Slitt in the underside of the left eare.

March 31th 1674 Liber M M

Came Richard Chilman of St Maries County and desired the marke of his Cattle and hoggs might be recorded which is as followeth Vizt

Swallow forked in the right eare &
Slitt in the left eare.

April 8th 1674.

Robert Ridgely of St Maries County Gent tooke the Oath of Attorny of the Provinciall Court being administred to him in the Sectaryes Office by the Honble Wm Calvert Esqꝫ Principall Secretary.

Annoqꝫ Doms 1673.

May it please your Excellency,

John Edmundson hath requested me to write what I Know concerning a parcell of Land that George Richardson lived upon when he was Killed by the Indians This is the truth as neere as I can remember I came to St Maries and there John Edmundson gott Daniel Jenifer to petition in the behalfe of the said Richardsons widdow and did acquaint your Excellency that her husband was to make good the Rights in a yeares Time for the said eight hundred acres of Land and he not haveing made good the rights desired that favour of your Excellency that she might doe it and have a pattent for it which your Excellency gave Daniel Jenifer Order that She Should have it makeing good the rights which she imediately assigned Over to John Edmundson for a quantity of tobacco and he made good the rights and had a pattent for the said Land and your Excellency would not lett the said Edmundson have the Land untill p. 169 I brought under the widdowes hand her acknowledgmt for the Land which acknowledgment is now att the Office this Daniel Jenifer can testifie aswell as I.

I remaine Your Excellency's humble Servt.
January 27th. Timothy Goodridge.

To Vincent Lowe Esqꝫ his Lopps Attorny Genll of Maryland humbly presents

Honoured Sr.

Att the request of Mr John Edmundson I haue presumed to trouble you with an accompt to the best of my Knowledge in and concerning a parcell of Land now possest by him Containeing 1400 Acres called by the name of Richardsons ffolly and lyeing in Dorchester County which said parcell of Land was first taken up by Capt George Richardson but by his death was forfeited or escheated whereupon the said Richardsons widdow by name Rebecca Richardson did petition his Excellency that the said Edmundson might have the benefitt of the said escheate which to my best remembrance when Clerke in the

Liber M M Office his Excellency did grant to the said Edmundson he entring new rights for the same which was by him performed and thereupon a grant to him issued which is all can be declared by

April the 15th 1674. Honrd Sr
Your most humble Servant
Daniel Jenifer

Recorded at the instance and request of the said John Edmundson

Maryland ss

Att a Provinciall, Court of the Right Honble Caecilius &c held at the Citty of St Maries on tuesday the 14th of April in the 42th yeare of his Lop̄p̄s Dominion &c Annoqꝫ Dom̄ 1674 and there continued untill the eighteenth day of the Same Month before his Lop̄p̄s justices thereunto assigned, on which Said 14th day of April was

Present

The Honble Charles Calvert Esqꝫ Capt Genll & cheife justice.
The Honble Philip Calvert Esqꝫ Chancellour.
William Calvert, Baker Brookes Esqꝫ justices.

Proclamation being made that if any manner of person had anything to due at the Provinciall Court holden here this day to draw neere and give their attendance

The Honble William Calvert Esqꝫ tooke the Oath of Principall Secretary of this Province according to the forme of the Same Oath in Ꝉib̄ Council R : R : fol̄.

Robert Ridgley of the City of St Maries admitted and Sworne an Attorney of this Court according to the usuall forme of the Oath of Attorny of this Court.

Upon the Petition of Wm Claw Constable of St Michaels Hundred to be discharged from the said Office Ordered by the Court that Henry Rider Serve in his Stead

Wherefore it is Comanded the said Henry Rider that he make his personall appearance before Some One of his Lop̄p̄s justices to take the Oath of Constable of St Michaels Hundred and to serve & execute the said Office this next ensueing yeare.

p. 170 Lord Proprietary agt Luke Barbier — Continued untill next Court

Virlinda Stone agt Edmund Lindsey — Continued till next Court.

Liber M M

George Diamond
agt
Cornelius Corneil

Cornelius Corniel late of St Maries County Planter was attached to answer unto George Diamond of a plea of trespas.

And whereupon the said George by John Morecroft his Attorny complaineth that he the Said Cornelius the tenth day of March in the yeare One thousand Six hundred Seventy One by force and armes the fences of him the said George at Norwood in St Maries County aforesaid did breake pull downe and prostrate and Other enormityes to him did then & there doe to the damage of him the Said George and contrary to the Peace & whereupon he saith he is dampnified and hath losse to the Value of One thousand pounds of tobacco and thereupon he bringeth his Suite &c.

And the said Cornelius by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that he is in no wise guilty of the trespas above by the Said George complained off and of this he putts him selfe upon the Country and the Said George likewise.

The Said George at this day to witt the 14th day of April for want of further prosecution in this cause Suffered a non suite wherefore Ordered by the Court here that the said George losse his writ and that the Said Cornelius recover against him the full quantity of Six hundred forty nine pounds of tobacco for his costs of Suite & the Said George in mercy &c.

Henry Phippes
agt
Thomas Marsh

Continued untill next Court

Edward Williams
agt
Philip Shapleigh

Continued untill next Court

Samuel Winslow
agt
John Bowles

the Same
agt
the Same

the Same
agt
the Same

In these three causes the deft putts in his plea and peremptorily to come to tryall next Court.

William Barrett
agt
Thomas Howell et ux

Continued untill next Court.

William Wheatly
agt
Thomas Howell et ux

Continued untill next Court.

Liber M M p. 171

John England & Thomas Jones ag^{t} Randall Revell
Kenelm Cheseldyne p pl̃ts
John Rousby p def^{t}.

Randall Revell late of Somersett County otherwise called Randall Revell of the County of Somersett in the Province aforesaid Gent was Sumõned to answer unto John England and Thomas Jones of the Citty of Bristoll merchant in a plea that he render unto them the Summe of twelve thousand Six hundred eighty & One pounds of tobacco which to them he Oweth and unjustly deteineth

And whereupon the Said John England and Thomas Jones by Kenelm Cheseldyn their Attorny Saith that whereas the Said Randall Revell the fifteenth day of June in the yeare of Our Lord One thousand Six hundred Seventy two did by his certaine writeing Obligatory Sealed with the Seale of the said Randall here in Court produced whose date is the Same day and yeare abovewritten acknowledged himselfe to Owe and Stand indebted unto the Said John England and Thomas Jones the just and full Summe of twelve thousand Six hundred eighty One pounds of good Sound merchantable tobacco in caske to be paid convenient in Somersett County to the said England or Jones or either of them their or either of their lawfull Attorny or Attornyes executors administrators or assignes or any or either of them to which payment well and truly to be made he did bind himselfe his heirs execut^{rs} and̃ administrat^{rs} firmly by those presents notwithstanding which the Said Randall Revell the Said Summe of twelve thousand Six hundred eighty One pounds of tobacco according to the tenor of the Said bill hath not paid though often thereunto required but the same to pay doth altogether refuse and deny to the damage of the Said John England & Thomas Jones the Summe of fourteen thousand pounds of tobacco and thereupon they bring their Suite.

And the abovesaid Randall by John Rousby his Attorny cometh and defendeth the force and injury when &c and Saith that the said John and Thomas their action abovesaid ought not to have because he Saith at the time of the makeing of the Said writeing Obligatory he the Said Randall was imprisoned By the Said Thomas and others of his Covin that is to Say at Manoakin in the County of Somersett within the jurisdiction of this Court and therein prison Kept till he the Said Randall by force and duresse of his imprisonment the aforesaid writeing Obligatory to the Said Thomas then and there made And this he is ready to aver whereupon he demands judgment whether the plaintiffs ought to have their action against him

And the aforesaid John and Thomas Say that they by any Matters prealledged from their action aforesaid haveing precluded ought not to be because he Saith that the aforesaid Randall at the tyme of the makeing the writeing aforesaid was in his Own power and at large and that writeing of his Own meer free will to the aforesaid John & Thomas made and not By force and duresse of his imprisonments as the abovesaid Randall in his plea hath alleadged and this they pray enquired may be by the Country and the Said Randall likewise, therefore it is Comanded the Sheriff of S^t Maries County that he cause to come here twelve &c. Liber M M

At which Said day to wit the 15th day of April Came aswell the said John England & Thomas Jones by Kenelm Cheseldyn there Attorny & the said Randall Revell by John Rousby his Attorny as the Sayd Jurors to witt John Blackistone, Thomas Warner, Tobias Wells, James Green James Thompson Thomas Hatton Nathaniel Ascomb William King John Slaughter William Baker Richard Rigull & John Hayles. who to Say the truth being Sumoned impannelled & sworne upon their Oathes doe Say they finde for the plaintiffs (the said quantity of twelve thousand six hundred eighty p. 172 One pounds of tobacco Therefore it is Considered by the Court here that the said John England and Thomas Jones recover against the said Randall Revell aswell the said debt of twelve thousand six hundred eighty One pounds of tobacco as also the quantity of One thousand five hundred and foure pounds of tobacco for his costs in that behalfe laid Out and expended.

Thomas Jones p^lt Randall Revell def^t.

These are to desire and authorize you to appeare for me the next Provinciall Court at the Suite of the Said Thomas Jones in an action of debt for twelve thousand pounds of tobacco to plead dures, threats, or non est factum thereunto or Otherwise as you shall thinke fitt and for your So doeing this Shall be your Sufficient warrant Wittnes my hand and Seale this 31^th day of October 1673.

To John Rousby One of the Attornyes Randall Revell (Sealed)
of the Provinciall Court. these
Testes
Tho: Rousby
Richard Keene

John Ingram ag^t George Cooley — George Cooley late of Talbott County Planter was Sumōned to answer John Ingram in a plea that he render unto him the Summe of six thousand pounds of tobacco which to him he Oweth and unjustly deteineth

And whereupon the Said John by Kenelm Cheseldyn his Attorny Saith that whereas the Said George Cooley the third day of April in the yeare One thousand Six hundred Seventy two did acknowledge himselfe to owe and Stand indebted unto the Said John Ingram Planter of the aforesaid County the full and just Summe of Six thousand pounds of good and well conditioned tobacco in caske according to act of Assembly to be paid unto the Said John Ingram

Liber M M or his certaine Attorny heirs execut^{rs} adm^{rs} at or upon the tenth day of December next ensueing the date hereof in some convenient place in Great Choptanck River to which payment well and truly to be made he bound himselfe his heirs executors administrat^{rs} firmly by these presents Notwithstanding which the Said George Cooley the Said Summe of Six thousand pounds of tobacco according to the tenor of the Said bill hath not paid though often thereunto required but the same to pay hath altogether denyed and Still doth deny whereupon the said John Saith he is dampnified eight thousand pounds of tobacco and thereupon he brings his suite

And whereupon the Said George by Vincent Lowe his Attorny doth come and defend the force and injury when &c and prayeth heareing of the writing aforesaid and it is read unto him he prayeth also heareing of the Condition of the said writeing and it is read unto him in these words The Condition of this present Obligation is Such that if the abovebounden John ffrench and George Cooley joyntly and Severally or either of them shall well & truly pay or deliver or cause to be paid or delivered unto the abovesaid John Ingram or to his true and lawfull Attorny heirs executors & administrat^{rs} two able men Servants between the age of twenty and thirty in the County of Talbott at or before the twentith day of December p. 173 next ensueing the date hereof for the whole time of Service as they come into the Country for according to the custome thereof that then the abovesaid Obligation to be Void and of none effect and for default thereof to Stand in full force Virtue and Strenght as wittnesse Our hands and Seales the day and yeare abovewritten

Which words being read and heard the said George Cooley Saith that he hath well and truly performed the (Covenant) Condition of the said Obligation and of this he prayeth may be enquired of by the Country and the said John also therefore Comānd is given to the Sheriff of S^{t} Maries County that he cause to come here twelve &c.

Att which day to witt the 16th day of April Came aswell the Said John as the Jurors of that jury being impannelled & sworne but the Said George Came not but made default wherefore it is considered by the Court here that judgment passe against the said George & that the said John recover against him the full quantity of
pounds of tobacco for his costs and charges in thes cause expended and laid Out and the Said George Cooley in mercy &c.

Thomas Mountford
ag^{t} } Continued untill next Court.
Samuel Hatton

Thomas Bland
ag^{t} } Continued untill next Court.
Thomas Gant

Liber M M

Philip Shapleigh
agt
John Steward
peremptorily to come to tryall next Court.

John Charlsworth
agt
Mathias Decosta
It was Comānded the Sheriff of St Maries County that im̄ediately he cause to come here twelve &c to enquire what damages the Said John had Sustayned by Occasion of a certaine trespas upon the case com̄itted & done by the Said Mathias whereof he is convict.

Att which said day to wit the Sixtenth day of April Came aswell the said John Charlsworth by Kenelm Chiseldyn his Attorny and the Said Mathias Decosta by Robert Carvile his Attorny as the jurors of that jury likewise to wit Wm Claw Raymond Staplefort Thomas Vaughan William Hensley Richard Roystone George Marshall James Green John Hailes John Ofley Thomas Browne Tobias Wells and William Abestone who to Speake the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff damages two thousand five hundred pounds of tobacco with costs of Suite

Therefore it is considered by the Court here that the said John Charlsworth recover against the Said Mathias Decosta aswell the Said quantity of two thousand five hundred pounds of tobacco for his damages Susteined by Occasion of the premisses as also the full quantity of eighteen hundred ninety two pounds of tobacco for his costs & charges in that behalfe laid Out and expended.

John Shancks
agt
Edward Conery
Charles Boteler Deputy Surveyr being appointed by this Court to lay Out the Land in question and haveing made no returne as yet thereof Ordered by the Court here that this cause be Continued untill next Court.

p. 174

John Balley
agt
John Russell
peremptory Order to come to tryall next Court.

Richard Bayly
agt
William King
William King late of Calvert County was Sum̄oned to answer unto Richard Bayly wherefore he tooke the cattle of him the said Richard and them unjustly deteined against Suertyes and pledges untill &c

And whereupon the Said Richard by Kenelm Cheseldyn his Attorny complaineth that the aforesaid William the 14th day of December in the yeare 1673 at a certaine place called Back-Creeke at Harvey-Towne in the County aforesaid tooke the cattle of him the Said Richard that is to Say two Cowes two calves two heifers and One bull and them unjustly deteined against Suertyes and pledges untill &c whereupon the Said Richard Saith he is dampnified and

Liber M M hath losse to the Value of Seven thousand pounds of tobacco and thereupon he bringeth his Suite

And the aforesaid William by Robert Carvile his Attorny cometh and defendeth the force and injury aforesaid when &c and Saith that the aforesaid Richard Ought not to have his action aforesaid against him because he Saith that he doth well avow the takeing and deteineing of the Said two Cowes, two calves two heifers and One bull for that long before the Said 24th day of December in the declaration aforesaid mentioned On which day the Said Richard by his declaration aforesaid alleadgeth the Said William the Said cattle tooke and deteined One Mathew Smith was of the Said Cattle as of his Owne proper Cattle possessed and being so possessed he the said Mathew Smith for a Valuable Consideration, to him paid by the Said William King did upon the 5th day of October in the yeare of Our Lord One thousand Six hundred Seventy three bargaine and Sell unto the Said William the Said two cowes two calves two heifers and One bull and did also at Harvey-Towne in Calvert County give and deliver the possession of the Said Cattle to him the said William and the Said Mathew did also in confirmation of the said bargaine and Sale by his writeing under his hand and Seale beareing date the ninth day of October 1673 absolutely give grant bargaine and Sell assigne and Sett Over the Said Cattle to him the said William to hold to him the said William his heirs and assignes for ever by which the Said Wm was of the Said Cattle So possessed as of his Own proper right and the Same as his proper goods and cattle did take and deteine as it was lawfull for him to doe and this he is ready to averr and thereupon he prayes judgmt whether the Said Richard Bayly Ought to have his action aforesaid against him and that the Said Cattle may be returned to him &c.

And the Said Richard Saith that the said William for the reasons aforesaid for the takeing the cattle aforesaid in the aforesaid place in which &c ought not justly to avow because he Saith that long before the Said fifth day of October in the yeare aforesaid the time Supposed the Said William to have bought the Said Cattle the Said Mathew Smith to wit the fiftenth day of August in the yeare aforesaid did for the Summe of three thousand pounds of tobacco Sell and actually deliver the Said Cattle to him the Said Richard to remaine the proper goods and chattels of him the said Richard and did afterwards to wit the 25th day of Novem 1673 confirme and warrant the Same to the Said Richard by a good and lawfull Bill of Sale upon penalty of foure thousand pounds of tobacco and of this
p. 175 he putts himselfe upon the Country and the deft likewise therefore it is Comānded the Sheriff of St Maries County that im̄ediately he cause to come here twelve &c.

At which day to witt the Sixtenth day of April came aswell the sayd Wm King by Robert Carvile his Attorny as the jurors of that jury to witt John Balley Richard Chilinan John Askins W^{m} Baker Abraham Roads W^{m} Rands Randell Revell John Bigger Edward Williams W^{m} Worgan John Ryce and Thomas Bayle who being Sumōned and Sworne to Speake the truth in the p^{r}misses and the Said Richard Bayly appeared not but made default the jurors dismist and judgment against the said Richard Bayly for his said default Liber M M

Therefore it is Ordered by the Court here that the said William King recover against the Said Richard Bayly the full quantity of   pounds of tobacco for his costs and charges expended and laid Out in and about the prosecution of this Suite & the said Richard in mercy &c.

Richard Cowell & Thomas Groves
ag^{t}
Henry Mitchel

this cause continued untill next Court and then peremptorily to come to tryall.

Philip Shapleigh
ag^{t}
Richard Patty
Philip Shapleigh
ag^{t}
Samuel Jackson

the def^{ts} in these two causes not appeareing by themselves or their Attornyes and the Sheriff of Somersett County haveing returned a Cepi in both actions Ordered that the said Sheriff be amerced 4 £ sterl̃.

Elizabeth Young
ag^{t}
William Smith

this cause peremptorily do come to tryall next Court William Stevens of Somerset County Gent came into Court & acknowledged what costs & damages the Said Elizabeth Young shall then recover ag^{t} the deft

William Worgan
ag^{t}
Anthony Dawson

the deft appeareing by John Rousby his Attorny this cause continued untill next Court.

Jn^{o} Neathway & Copartner
ag^{t}
Thomas Warner

Thomas Warner late of Charles County otherwise called Thomas Warner of S^{t} Maries County miller was Sumōned to answer John Neathway and Copartner in a plea that he render unto them the summe of three thousand pounds of tobacco which to them he oweth & unjustly deteineth.

And whereupon the said John Neathway and Copartner by Kenelm Cheseldyn their Attorny Saith that whereas the Said Thomas Warner the three & twentith day of ffebruary in the yeare of Our Lord 1669 by his certaine writeing Obligatory Sealed with the Seale

Liber M M of the Said Thomas here in Court produced whose date is the Same day and yeare abovewritten did acknowledge himselfe to Owe and Stand justly endebted unto the said John Neathway merchant in ffyall and to his Copartner in wines the just and full quantity of three thousand pounds of tobacco in caske according to Act of Assembly which said Sum̃e he did bind himselfe his heirs executors administrators to pay or cause to be paid to the Said John Neathway and his Copartner or to Garret Van Sweringen for their Use upon demand after the tenth day of October next ensueing the date thereof in some Convenient place or places in St Maries County Notwith-
p. 176 standing which the said Thomas Warner the Said Summe of three thousand pounds of tobacco to the said John Neathway and Copartner nor to the Said Garret Vansweringen for their use though often thereunto required hath not paid but the Same to pay hath and Still doth deny to the damage of the said John Neathway & Copartner the summe of foure thousand pounds of tobacco and thereupon they bring their Suite

And now here at this day to witt the sixtenth day of April in the 42th yeare of the Dominion of Caecilius &c came the said Thomas Warner in his proper person and confessed judgmt to the Said John Neathway & Copartner for the debt abovesaid wherefore it is considered of by the Court here that the said John Neathway and Copartner recover against the Said Thomas Warner aswell the Said debt of three thousand pounds of tobacco as the full quantity of three hundred & forty pounds of tobacco for their costs and charges in this behalfe laid Out and expended and that execution cease till the tenth day of October next comeing

Richard Moy
agt
James Lewis

James Lewis late of St Maries County otherwise called James Lewis of the County of St Maries in the Province of Maryland Planter was Sumōned to answer unto Richard Moy of a plea that he render unto him the summe of thirteene hundred and Seaventeen pounds of tobacco which to him he oweth and unjustly deteineth &c.

And whereupon the Said Richard by Robert Carvile his Attorny Saith that whereas the Said James upon the Seventh day of march in the yeare of Our Lord One thousand Six hundred Seventy two by his certaine bill or writeing Obligatory Sealed with the Seale of him the Said James and here in Court produced whose date is the day and yeare above said did confesse and acknowledge himselfe to be holden and firmly bound unto him the Said Richard in the Sum̃e of five hundred and fifty pounds of tobacco and caske part of the Said Summe of thirteene hundred and Seaventeen pounds of tobacco to be paid to the Said Richard in Some Convenient place in the said County upon demand And whereas also the Said James Lewis upon

Liber M M

the 17th day of May in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine Other bill or writeing Obligatory Sealed also with the Seale of him the Said James and here in Court produced whose date is the day and yeare last abovewritten did likewise confesse and acknowledge himselfe to be holden and firmly bounden to the Said Richard in the Sum̄e of Seaven hundred Sixty Seven pounds of like Sound merchantable tobacco in caske to be paid to him the said Richard in Some convenient place in the County aforesaid upon demand both which Said Summes due in the whole amount unto the summe of thirteene hundred and Seventeene pounds of tobacco Yet the Said James Lewis the Said Summe of thirteen hundred & Seventeene pounds of tobacco or any part thereof to him the said Richard according to the tenor of the Said bills though often thereunto requested hath not contented or paid but the same to content and pay to him the said Richard he the said James hath hitherto denyed and refused and Still doth deny and refuse whereupon the said Richard Saith he is dampnified & hath losse to the Value of fifteen hundred pounds of tobacco and thereupon he bringeth his suite.

And now here at this day to wit the Sixtenth day of April Came the Said James Lewis in his proper person and confessed judgment to the said Richard for the said Summe of thirteene hundred and Seventeene pounds of tobacco

Therefore it is considered by the Court here that the Said Richard recover against the said James the debt aforesaid and two hundred thirty One pounds of tobacco for his costs and charges in that behalfe laid Out and that execution thereupon cease untill the tenth of October next.

William Russell & Thomas Chandler
ag^{t}
John Wells
} the deft^{s} imparles untill next Court. p. 177

Demetrius Cartwright
ag^{t}
Thomas Mountfort
} Thomas Mounfort late of Talbott County was attached to answer unto Demetrius Cartwright in a plea of trespas upon the case And whereupon the Said Demetrius by Kenelm Cheseldyn his Attorny Complaineth That whereas the said Thomas Mountfort the twentith day of march in the yeare of Our Lord One thousand Six hundred Seventy One in consideration that the Said Demetrius at the speciall instance and request of him the said Thomas Mountfort delivered unto him the said Thomas to the proper use and behoofe of him the said Demetrius five bills of Edward Bashaes amounting to three thousand foure hundred twenty Six pounds of tobacco due and oweing from the Said Andrew Basha unto the said Demetrius and also three bills of ffrancis Kilbornes amounting to two thousand Six

Liber M M hundred and fifty pounds of tobacco also due and oweing from the said ffrancis to the said Demetrius all which said Severall bills in the whole due amount unto the Summe of Six thousand and eighty three pounds of tobacco the Said Thomas Mountfort did assume upon himselfe and to the Said Demetrius did faithfully promise that he the said Thomas when thereunto demanded would returne the Said Severall bills unto him the Said Demetrius in like manner as he received them from him the Said Demetrius or the tobacco due from the Said persons upon the Said Severall bills So Soon as he should receive it of them and the Said Demetrius in fact Saith that he trusting to the faithfull promise of the Said Thomas did deliver unto him the said Thomas the aforesaid Severall bills amounting in the whole to the aforesaid Summe of Six thousand & eighty three pounds of tobacco as aforesaid Notwithstanding which the Said Thomas Mountfort his promise and assumption in that behalfe not regarding but endeavouring and fraudulently intending him the Said Demetrius to defraud & deceive the Said bills as aforesaid according to his promise hath not returned nor the tobacco due upon the same hath paid though often thereunto required but the Same to pay or deliver againe to him the Said Demetrius hath altogether denyed and Still doth deny to the damage of him the Said Demetrius eight thousand pounds of tobacco and thereupon he brings his Suite.

And the Said Thomas Mounfort by George Parker his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speaking thereunto untill the first day of the next Provinciall Court and the same day is given to both partyes.

At which day to witt the Sevententh day of April in the two & fortith yeare of the Dominion of Caecilius &c came the aforesaid Demetrius Cartwright by Kenelm Cheseldyn his Attorny and Offered himselfe against the said Thomas Mountfort of & upon the premisses and the said Thomas Mountfort Came not but made default wherefore it is considered by the Court here that the said Thomas Mountfort haue judgment awarded ag^{t} him by default and that the Said Demetrius Cartwright recover against the Said Thomas Mountfort aswell the full quantity of Six thousand and eighty three pounds of tobacco his debt aforesaid as also the full quantity of three hundred and eight pounds of tobacco for his costs and charges in that behalfe laid Out and expended.

p. 178 James Nutthall
ag^{t}
Marke Cordea

Marke Cordea late of S^{t} Maries County otherwise called Marke Cordea Gent was Sumōned to answer unto James Nutthall in a plea that he render unto him One Negro man betweene the age of fifteen & twenty yeares of Sound & perfect limbs and body which to him he oweth and unjustly deteineth.

And whereupon the Said James Nutthall by Kenelm Cheseldyn his Attorny Saith that whereas the Said Marke Cordea the Sixth day of October in the yeare One thousand Six hundred Seventy One by his certaine writeing Obligatory Sealed with the Seale of the Said Marke here in Court produced whose date is the Same day and yeare abovewritten did acknowledge himselfe to Stand engaged unto James Nuthall his heirs and assignes to deliver unto him the Said James or his certaine Attorny One negro man being of age betweene Sixteene and twenty being of perfect limbs and Sound body So farr as One is able to judge at or before the tenth day of October which will be in the yeare of Our Lord One thousand Six hundred Seventy two notwithstanding which the Said Marke Cordea the Said negro man aged as aforesaid according to the tenor of the Said bill to him the Said James hitherto hath not rendred though often thereunto required but the Same to render doth altogether deny to the damage of him the Said James twelve thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Marke Cordea by Robert Carvile his Attorny cometh and defends the force and injury &c and prayeth liberty of Speakeing thereunto untill the first day of the next Provinciall Court and the Same day is given to both parties.

Att which Said day to witt the Sevententh day of April in the 42th yeare of the Dominion of Caecilius &c came the aforesaid James Nuthall by Kenelm Cheseldyn his Attorny and offered himselfe against the Said Marke Cordea of and upon the premisses but the Said Marke came not but made default. wherefore it is considered by the Court here that the said Marke Cordea have judgment awarded against him by default and that the Said James recover against the Said Marke the negro man aforesaid as also the full quantity of eight hundred forty and foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Stephen Murty
agt
Henry Bonner

Henry Bonner late of Charles County otherwise called Henry Bonner of Charles County in the Province of Maryland was Sumōned to anser unto Stephen Murty in a plea that he render unto him the Sum̃e of Seaventeene hundred and Seventy Pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Said Stephen by Kenelm Cheseldyn his Attorny Saith that whereas the said Henry the first day of ffebruary in the yeare of Our Lord One thousand Six hundred Seventy and One did by his certaine writeing Obligatory Sealed with the Seale of the Said Henry here in Court produced whose date is the same day and yeare abovewritten acknowledge himselfe endebted unto the Said Stephen in the full and just Summe of Seventeene hundred and Seventeene pounds of tobacco and caske to be paid to the Said Stephen Murty his heirs or assignes upon demand for the which pay-

Liber M M ment well and truly to be made he did bind himselfe his heirs and assignes notwithstanding which the said Henry the Said Summe of Seventeene hundred and Seventy pounds of tobacco according to the tenor of the Said bill hath not though often thereunto required but the same to pay altogether denyeth to the damage of the said Stephen three thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said Henry Bonner by Samuel Cressey his Attorny cometh and defendeth the force and injury when &c and prayeth p. 179 liberty of Speaking hereunto untill the first day of the next Court and the Same day is given to both parties.

At which Said day to wit the Sevententh day of April in the 42th yeare of the Dominion of Caecilius &c came the Said Stephen Murty by Kenelm Cheseldyn his Attorny and offered himselfe against the Said Henry Bonner of and upon the premisses but the Said Henry came not but made default wherefore it is considered by the Court here that the Said Henry Bonner have judgment awarded against him by default and that the Said Stephen recover against the said Henry aswell the Said Summe of Seventeene hundred and Seventy pounds of tobacco being his debt aforesaid as also the full quantity of three hundred and eighty pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Cornelius Corneil being impannelled and Summoned to try the fine 500l tob issue joyned between James Neale Senior plt and John Upgate deft and not appeareing Ordered that the Said Corneil be fined to his Lop̄p five hundred pounds of tobacco.

James Neale Senior
agt
John Upgate

John Upgate late of St Maries County otherwise called John Upgate of St Maries County Cooper was Sumoned to answer unto James Neale Senior in a plea that he render unto him the Summe of One thousand eight hundred twenty eight pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Said James by Kenelm Cheseldyn his Attorny Saith that whereas the Said John Upgate the first day of february in the yeare of Our Lord One thousand Six hundred Seventy two did by his certaine writeing Obligatory Sealed with the Seale of the Said John here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to Owe and Stand justly indebted into Capt James Neale of Charles County the full and just Sum̄e of One thousand eight hundred twenty eight pounds weight of good Sound merchantable leafe tobacco in caske and for the well and true performance of the Said Summe into the Said James aforesaid his heirs or assignes he the Said John Upgate did bind himselfe his heirs executors administrators firmly by those presents notwithstanding which the said John Upgate the Said Summe of One thousand eight hundred twenty & eight pounds of tobacco according to his Said writeing Obligatory hath not paid though often thereunto required but the Same to pay hath hitherto denyed and Still doth altogether deny to the damage of the Said James three thousand pounds of tobacco & thereupon he bringeth his Suite. Liber M M

And the said John Upgate by Robert Carvile his Attorny doth come and defend the force and injury when &c and prayeth heareing of the Said writeing Obligatory and it is read unto him he prayeth also heareing of the Condition of the Said writeing and it is read unto him in these words The Condition of this Obligation is Such that if the abovebounden John Upgate Cooper doe well and truly pay or cause to be well and truly paid unto Captaine James Neale his heirs or assignes the full and just qauntity of nine hundred and fourteene pounds of good Sound merchantable leafe tobacco in caske upon demand at my now dwelling plantation in S^t^ Maries County or that then this Obligation to be Void or of none effect otherwise to Stand remaine and be in full power force & Virtue.

Which being read and heard the Said John Saith that the Said James ought not to haue his action aforesaid against him because he Saith that he hath well and truly performed the Condition of the Said writing Obligatory and paid unto the Said James the Said Summe of nine hundred and fourteene pounds of tobacco in the condition of the said writeing Obligatory mentioned according to the forme and effect of the Condition of the said writeing Obligatory and this he is ready to averr whereupon he demands judgm^t^ whether the aforesaid James Ought to have his action aforesaid against him.

And the aforesaid James Saies that he by any thing before alleadged ought not to be debarred from haveing his action aforesaid for that he Saith that the aforesaid John Upgate hath not performed the Condition of the Said writeing Obligatory nor paid unto the Said James the said Summe of nine hundred and fourteen pounds of tobacco in the condition of the Said writeing Obligatory as the aforesaid John hath above alleadged and this he is ready to averr whereupon he demands judgment and his debt aforesaid together with his damages to be adjudged to him. p. 180

And the Said John Saith that he hath performed the condition of the Said writeing Obligatory and paid the Said nine hundred and foureteen pounds of tobacco to the Said James as by his plea he hath alleadged and of this he putts himselfe upon the Country and the plaintiff likewise therefore it is Com̄anded the Sheriff of S^t^ Maries County that he cause to come here twelve &c who aswell &c to recognize &c.

Att which day to witt the Sixtenth day of April in the two and

Liber M M fortith yeare of the Dominion of Caecilius &c came aswell the Said James Neale by Kenelm Chiseldyn his Attorny and the Said John Upgate by Robert Carvile his Attorny as the jurors of that jury likewise came to witt Thomas Griffen Thomas Cortney John Charlsworth Thomas How George Charlsworth ffrancis Hopewell John Wright Richard Bayly Cornelius Watkinson John Scott, Christopher Goodhand & William King who being impannelled Summoned and Sworne to Speake the truth in the premises. (On the backside of a receipt by John Hamilton for accompt of Cap^t^ James Neale of One hogeshead of tobacco weighing neate three hundred and ninty pounds for the use of M^r^ Gerard Sly) doe Say Wee of the jury doe find for the plaintiff without forfeiture of the bond with costs of Suite, therefore it is considered by the Court here that the said James Neale recover against the Said John Upgate the full quantity of five hundred twenty foure pounds of tobacco as also the quantity of One thousand twenty foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Michael Miller agt William Head } William Head late of Kent County otherwise called William Head of the County of Kent Gent was Sumōned to answer unto Michael Miller in a plea that he render unto him the Summe of Six thousand pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said Michael by Kenelm Cheseldyn his Attorny Saith that whereas the Said William Head the ninth day of December in the yeare One thousand Six hundred Seventy One did by his certaine writeing Obligatory Sealed with the Seale of the Said William here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to stand and be firmly bounden unto Michael Miller of the Same County in the true and just Summe of Six thousand pounds of good Sound merchantable tobacco in caske due to be paid conveniently in Kent County upon demand to the which payment well and truly to be made and done he did bind himselfe his heirs executors administrators notwithstanding which the Said William though often thereunto required the Said Summe of Six thousand pounds of tobacco according to the tenor of the Said bill hath not paid but the same to pay hath and Still doth altogether deny to the damage of the said Michael the Value of tenn thousand pounds of tobacco and thereupon he bring his Suite.

And the Said William by Mathew Ward his Attorny cometh & defendeth the force and injury when &c and prayeth heareing of the writting aforesaid and it is read unto him he prayeth also heareing of the Condition of the Said writeing and it is read unto him in these words The Condition of this Obligation is Such that if the abovebounden William Head Shall and will at the next Court held p. 181

for the County of Kent give in there a true and just accompt of the estate of John Stevens which is in his possession and likewise to make appeare what the estate of John Stevens is is indebted to him that then this Obligation to be Void and of none effect or else to remaine in full force power Strength and Virtue. which being read and heard the Said William Head prayeth license of Speakeing thereunto untill the first day of the next Provinciall Court and the Same day is given to both partyes Liber M M

Att which day to wit the Seavententh day of April in the two and fortith yeare of the Dominion of Caecilius &c Came the Said Michael Miller by Kenelm Cheseldyn his Attorny and Offered himselfe against the Said William Head but the Said William came not but made default therefore it is considered by the Court here that judgment be awarded against the Said William and that the Said Michael recover against the Said William aswell the Said Summe of Six thousand pounds of tobacco the debt aforesaid as also the full quantity of three hundred and eight pounds of tobacco for his costs and charges in that behalfe laid Out and expended.

Demetrius Cartwright against John Watkins	this cause continued untill next Court.
Demetrius Cartwright vs^{s} Rowland Anderson	the def^{t} not appeareing by himselfe or his Attorny in pursuance of an Order of Court made the 10th of ffebruary last Ordered the Sheriff of Calvert County be amerced 40^{s}:
John Offley ag^{t} Richard Meekins Constant Daniel ag^{t} Richard Meekins	Ordered that attachm^{t} issue against the goods or chattells of the def^{t}.
Mary Thomas adm^{rx} of John Thomas ag^{t} John Allen adm^{r} of Nicholas Solby	the def^{t} putts in his plea and prayes liberty to imparle untill the first day of the next Court the Same day given to both parties.
Timothy Lindall ag^{t} Philip Shapleigh Charles Delaroch ag^{t} John Allen	

Liber M M
the Same
agt
the Same
Ann Neale
agt
John Allen
Michael Catterton
agt
Timothy Goodridge

these five causes continued untill next Court.

p. 182
Henry Aspinall
agt
Stephen Murty
John Dunstone
agt
John Allen
Hugh Magarro
agt
Robert Doyne
Jonathan Squire
agt
Benja Cowell

these foure causes continued untill next Court

George Robbins
agt
Ralph Blackhall

the Sheriff of Talbott County haveing returned a Cepi and the deft not appeareing Ordered that unlesse the deft at next Court appeare by himselfe or Attorny to answer the suite be amerced 40s.

Vincent Elliot
agt
Jeremiah Eaton

the deft by Kenelm Cheseldy his Attorny appeares and imparles till next Court.

John Nevill
agt
John Desjardine

the deft by George Parker his Attorny appeares & imples untill next Court.

Randall Revell
agt
George Johnson

the deft by Robert Carvile his Attorny appeares & imparles till next Court.

Henry Cox
agt
James Thompson

It was Comanded the Sheriff of Calvert County that he make Known unto James Thompson that he be and appeare here at this day to shew cause if any he can why execution should not issue against him for the summe of five thousand pounds of tobacco being a certaine judgmt obtained against him by the said Henry Cox the two and twentith day of April last past.

At which day to wit this eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the Said Sheriff Saith that he hath made Knowne unto the said James Thompson by foure lawfull men of his Bailiwick to witt ffrancis ffreeman Raphael Haywood James Veitch and Guy White that he be and appeare before his Lopps justices here to Shew cause as in the writt is required. but the said James come not therefore it is considered by the Court here that execution issue against the Said James Thompson aswell for the Said judgment of five thousand pounds of tobacco as the full quantity of pounds of tobacco for the costs and charges in this behalfe laid Out and expended. Liber M M

Richard Gibbs agt William Brett } William Brett late of Dorcester County planter otherwise called William Brett in the Province of Maryland in the County of Dorsett planter was Sumōned to answer unto Richard Gibbs of a plea that he render unto him five hundred and eighty pounds of good Sound merchantable tobacco and caske which he oweth and unjustly deteineth

And whereupon the said Richard Gibbs by George Parker his Attorny Saith that whereas the Said William the five and twentith day of December in the yeare of Our Lord God One thousand Six hundred Seventy and two by his certaine bill Obligatory Sealed with the Seale of him the said William and here in Court produced whose duty is the day and yeare first abovewritten did bind himselfe his heirs and assignes or pay or cause to be paid unto the said Richard Gibbs or his Order five hundred and eighty pounds of good Sound merchantable tobacco in caske to be paid at or upon the tenth day of October next ensueing the date of the said bill it being for a Valuable consideration in hand received Nothwithstanding the said William the Said Summe of five hundred and eighty pounds of tobacco to him the said Richard hath not paid although often required but the same to pay hath refused and Still doth refuse whereupon he Saith he is dampnified and hath losse to the Value of One thousand pounds of tobacco And thereupon he bringeth his Suite. p. 183

Now here at this day to witt the eightenth day of April in the two and fortith yeare of the Dominion of Caecilius &c the Sheriff of Dorcester County returnes to the Court here that the Said William Brett is not found in his Bailiwick and the Said Richard Gibbs prayeth of the Court here an attachmt against the goods and chattells of the said William Brett according to Act of Assembly in that case made and provided which by this Court is granted unto him.

Demetrius Cartwright agt ffrancis Neale } It was Comānded the Sheriff of Dorcester County that he take ffrancis Neale late of his County otherwise called ffrancis Neale of Clifts in Calvert County planter if &c to

Liber M M

answer unto Demetrius Cartwright in a plea that he render unto him the sum̃e of five hundred and twenty pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said Demetrius by Kenelm Cheseldyn his Attorny Saith that whereas the Said ffrancis the ninth day of July in the yeare of Our Lord God One thousand Six hundred and Seventy did by his certaine writeing Obligatory Sealed with the Seale of the Said ffrancis here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to Owe and Stand indebted unto the Said Demetrius Cartwright of S^t Leonards Creeke in Petuxent River in the said County Inholder in the full and just Summe of five hundred and twenty pounds of good and Sound merchantable tobacco in caske according to act of Assembly to be paid at Some convenient place upon the Clifts in the County aforesaid at or upon the tenth day of October next ensueing the date of those presents unto the said Demetrius Cartwright his heirs executors administrators or assignes to which payment well and truly to be made he did bind himselfe his heirs executors administrators firmly by those presents Notwithstanding which the said ffrancis Neale the said summe of five hundred and twenty pounds of tobacco according to the tenor of the said bill hath not paid though often thereunto required but the same to pay hath and doth Still altogether deny to the damage of the Said Demetrius One thousand pounds of tobacco and thereupon he bringeth his Suite.

Now here at this day to witt the eighteenth day of April in the two & fortith yeare of the Dominion of Caecilius &c the Sheriff of the said County of Dorcester returnes to the Court here that the said ffrancis Neale is not found in his Bailiwick whereupon the said Demetrius Cartwright prayeth the Court that an attachment against the goods or chattells of the said ffrancis Neale may be granted unto him according to the act of Assembly in that case made and provided and it is granted unto him

Daniel Jenifer
ag^t
James Thompson

the def^t by John Rousby his Attorny appeares and imparles untill next Court.

p. 184 Demetrius Cartwright
agt
John Little

It was Comãnded the Sheriff of Somersett County that he take John Little of his Said County otherwise called John Little of Petuxent River in Calvert County marriner if &c to answer unto Demetrius Cartwright in a plea that he render unto him the Summe of three hundred & thirty pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said Demetrius by Kenelm Cheseldyn his Attorny Saith that whereas the Said John the the ninth day of August in the yeare of Our Lord One thousand Six hundred and Seventy by his certaine writeing Obligatory Sealed with the Seale of the Said John here in Court produced whose date is the Same day and yeare abovewritten did acknowledge himselfe to owe and stand indebted unto the said Demetrius Cartwright of S^t^ Leonards Creeke in the County aforesaid Inholder in the summe of three hundred and thirty pounds of tobacco of good Sound merchantable tobacco in casque to be paid upon demand as Some convenient place in Petuxent River in the County aforesaid unto the said Demetrius Cartwright his heirs executors administrators or assignes to the which payment well & truly to be made he did bind himselfe his heirs execut^r^ adm^rs^ firmly by those presents Notwithstanding which the said John the said Summe of three hundred and thirty pounds of tobacco according to the tenor of the Said bill hath not paid though often thereunto required but the same to pay altogether denyes to the damage of the said Demetrius eight hundred pounds of tobacco & thereupon he bringeth his suite.

Now here at this day to wit the eighteenth day of April in the two & fortith yeare of the Dominion of Caecilius &c the same Sheriff returnes that the said John Little is not found in his Bailiwick whereupon the said Demetrius prayeth an attachment to be granted him against the goods and chattells of the said John Little according to Act of Assembly in that case made and provided which is accordingly granted unto him

Demetrius Cartwright ag^t^ Samuel Serrell	Comand was given to the Sheriff of Charles County that he take Samuel Serrell of his said County otherwise called Samuel Serell of Petuxent River in Calvert County planter if &c to answer unto Demetrius Cartwright in a plea that he render unto him the summe of One thousand three hundred and forty pounds of tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said Demetrius by Kenelm Cheseldyn his Attorny Saith y^t^ whereas the said Samuel the twentith day of December in the yeare One thousand six hundred sixty eight by his certaine writeing Obligatory Sealed with the seale of him the said Samuel here in Court produced whose date is the same day & yeare abovewritten did bind himselfe and his heirs executors adm^rs^ to pay or cause to be paid unto the said Demetrius Cartwright of the same place abovesaid the full & just summe of three hundred and forty pounds of good and Sound merchantable leafe tobacco in

Liber M M caske according to Act of Assembly to be paid upon demand at some convenient place in Petuxent River and for the true performance thereof did thereunto putt his hand and seale. And whereas also the said Samuel the third day of May One thousand six hundred sixty nine by his certaine other writeing Obligatory sealed with the seale of the said Samuel here in Court produced whose date is the same day and yeare abovewritten acknowledged himselfe to have received of the said Demetrius Cartwright the full and just summe of One thousand pounds of tobacco being in full satisfaction for cutting and malling two thousand good sufficient fencing loggs fourteene foot long which said loggs the said Samuel did bind himselfe to mall and finish or cause to be finished by the last day of November next ensueing the date thereof and if in case the said worke was not finished by the said last day of November then the p. 185 sd Samuel did engage himself his heirs executors administrators to pay or cause to be paid unto the said Demetrius Cartwright his heirs executors administrators or assignes againe the full summe of One thousand pounds of tobacco upon demand after the last day of November next ensueing the date thereof at some convenient place in Petuxent River and to the true performance thereof did thereunto putt his hand and seale the said Demetrius in fact saith that the said Samuel did not cutt and mall the said two thousand Loggs or any part of them according to his said writeing Obligatory Notwithstanding which the said Samuel the said Summe of three hundred and forty pounds of tobacco nor the said Summe of One thousand pounds of tobacco in the whole amounting to the summe of One thousand three hundred and forty pounds of tobacco according to his said severall Obligations hath not paid though often thereunto required but the same to pay hath and doth altogether deny to the damage of the said Demetrius two thousand five hundred pounds of tobacco and thereupon he bringeth his suite.

Now here at this day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the same Sheriff returnes to the Court here that the said Samuel Serrell is not found in his Bailiwick whereupon the said Demetrius prayeth an attachment to be granted unto him against the goods and chattells of the deft according to an act of Assembly in that case made and provided and it is granted unto him

John Neathway agt James Lee } It was Comãnded the Sheriff of Charles County that he take James Lee if &c and the Sheriff haveing returned a Cepi. and the deft not appeareing Ordered that unlesse the deft appeare at next Court by himselfe or Attorny to answer the plt that the sheriff be amerced 40s.

Liber M M

Philip Shapleigh agt Joseph Thompson } Comãnd was given the Sheriff of Somersett County that he take Joseph Thompson if &c to answer unto Philip Shapleigh in a plea that he render unto him the summe of five hundred pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the said Philip by Kenelm Cheseldyne his Attorny saith that whereas the said Joseph the tenth day of November in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine writeing Obligatory sealed with seale of the said Joseph here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executors administrators or assignes to pay or cause to be paid unto the said Philip his heirs executors admrs or assignes the full and just summe of five hundred pounds of good sound merchantable tobacco and casque to be paid in some convenient place in Nanticoake River at or upon the tenth day of November next ensueing the date thereof Notwithstanding the said Joseph though often thereunto required the said summe of five hundred pounds of tobacco according to the tenor of the said bill hath not paid but the same to him to pay altogether denyes to the damage of the said Philip One thousand pounds of tobacco and thereupon he brings his suite

Now here at this day to wit the eightenth day of April in the 40th yeare of the Dominion of Caecilius &c the same Sheriff returnes to the Court here that the said Joseph Thompson is not found in his Bailiwick whereupon the said Philip Shapleigh prayeth an attachment to be granted against the said Joseph Thompson his goods and chattells according to an act of Assembly in that case made and provided, and it is granted unto him

William Worgan agt Henry Turner } the deft by Vincent Lowe his Attorny appeares and imparles untill the next Court.

p. 186

John Quigley agt Wm Berry }
John Quigley agt James Berry } these two causes continued untill next Court.

William Worgan agt David Williamson } Comand was given to the Sheriff of Dorcester County that he take David Williamson if &c to answer unto David Williamson in a plea that he render unto him the summe of twelve hundred pounds of tobacco which to him he oweth and unjustly deteineth.

Liber M M And whereupon the said William by Kenelm Cheseldyn his Attorny saith that whereas the said David the tenth day of June in the yeare One thousand Six hundred Seventy One did by his certaine writeing Obligatory sealed with the seale of the said David here in Court produced whose date is the same day and yeare abovewritten acknowledge himselfe to owe and stand indebted unto the said William the summe of twelve hundred pounds of tobacco to be paid upon the tenth day of October the yeare aforesaid at some convenient place in the County aforesaid and to the payment thereof did bind himself his heirs executors administrators firmly by those presents Notwithstanding which the said David the said Summe of twelve hundred pounds of tobacco according to the tenor of his said bill hath not paid though often thereunto required but the same to pay hath and doth still deny to the damage of the said William two thousand pounds of tobacco and thereupon he bringeth his suite.

Now here at this day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the Said Sheriff returneth to the Court here that the said David Williamson is not found in his Bailiwick whereupon the Said William prayes an attachment of the goods & chattells of the Said David according to act of Assembly in that case made & provided may to him be granted and it is granted unto him by the Court here.

Thomas Abbott
agt
Henry Turner

the deft by Vincent Lowe his Attorny appears and imparles untill next Court.

Raymond Staplefort
agt
John Balley

It was Comānded the Sheriff of St Maries County that whereas at a Provinciall Court holden here the ninth day of ffebruary in the 37th yeare of the Dominion of Caecilius &c in a Suite depending between the pl̃t and deft the Said pl̃t recovered against the deft judgmt for the Summe of two thousand pounds Sterling and for that execution had not thereupon issued, that by good and lawful men of his Bailiwicke he make Knowne to the said John Balley that he be and appeare here this day to Shew cause (if any he could) why execution should not issue forth against him

Att which day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c came the Said Sheriff and returnes to the Court here that he hath made Knowne unto the Said John Balley as the writ requires him in the presence of John Warwick Charles Delaroch and Peter Delaroch and the Said John Balley came likewise.

p. 187 But the Said John Balley Shewing no Sufficient cause to the Court here it is Comānded the Same Sheriff that he take the Said John

Balley if &c and him Safe in his custody Keepe So yt he have his body here the twelfth day of May next to Satisfie the Said Raymond the judgment aforesaid. Liber M M

Daniel Jenifer agt Jonathan Squire admr Jno Morecroft	the deft appeares by Kenelm Cheseldyn his Attorny and imparles untill next Court.
William Gittings agt John Gittings	the deft appeares by George Parker his Attorny & imples untill next Court.
John Ware agt Henry Exon	the deft appeares by Robert Carvile his Attorny and imparles untill next Court.
John Browne agt William King	the deft appeares by Robert Carvile his Attorny and imparles untill next Court.
Nathaniel Garrett agt Wm Claw & Jno Smalpeice executors of Jno Reynolds	the defts appeare by Robert Carvile their Attorneys and imparle till next Court.
Jonathan Squire admr of Jno Morecroft agt Hugh Oneale	the deft appeares by Samuel Cressey his Attorny and imparles untill next Court.
Caecilius Lord Baltemore agt Benjamin Cooper	Comānd was given to the sheriff of St Maries County that he take Benjamin Cooper of the City of London Marriner otherwise called Benjamin Cooper master of the Shipp Elias if &c to answer unto Caecilius Lord Baltemore of a plea that he render unto him the full and just summe of two hundred pounds of Sterling to say lawfull mony of England which to him he oweth & unjustly deteineth

And whereupon the said Caecilius Lord Baltemore by Robert Ridgely his Attorny saith that whereas the said Benjamin Cooper the Seventh day of July in the yeare of Our Lord One thousand six hundred seventy three did by his certaine writeing Obligatory Sealed with the seale of him the said Benjamin and here in Court produced whose date is the day and yeare abovesaid acknowledge himselfe to be held and firmly bound unto the said Caecilius Lord Baltemore in the full and just Summe of Two hundred pounds sterling to say lawfull mony of England to be paid to the Said Lord Baltemore or

Liber M M to his certaine Attorny his heirs execut^{rs} adm^{rs} or assignes for the which payment well and truly to be made the said Benjamin did bind himselfe his heirs executors and administrators firmly by those presents Notwithstanding the said Benjamin Cooper the said summe of two hundred pounds Sterling to him the said Caecilius Lord Baltemore according to the said writing Obligatory hath not paid though often thereunto required but the same to pay hath denyed and Still doth deny to the damage of the said Caecilius Lord Baltemore One hundred pounds sterling and thereupon he bringeth his Suite.

And the aforesaid Benjamin by his Attorny cometh and defendeth the force and injury when &c and prayeth hearenge of the writeing Obligatory aforesaid and it is read unto him he prayeth also the heareing of the Condition of the Said writeing and p. 188 it is read unto him in these words following Vizt The Condition of this Obligation is such that whereas the abovebounden Benjamin Cooper hath this day drawn by exchange on M^{r} John Thornbush of London Merchant foure bills of exchange for forty two pounds and two shillings sterling all of One tenor and date payable at twenty dayes sight thereof unto the said Lord Baltemore or his Order if therefore the said John Thornbush shall well and truly pay the said bills of exchange according to the tenor thereof without fraud or delay that then this Obligation to be Void & of none effect otherwise to stand remaine and be in full force strength and Virtue which being read and heard &c.

Now here at this day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the same Sheriff returnes to the Court here that the Said Benjamin Cooper is not found in his Bailiwick whereupon the Said Caecilius Lord Baltemore prayeth attachm^{t} against the goods and chattells of the said Benjamin according to an Act of Assembly in Such case made and provided and it is granted unto him

Therefore it is Comānded the same Sheriff that he attach any the goods or chattells of the said Benjamin if &c to the Value of two hundred sixty six pounds Sterling and them or any part thereof in his custody to Keepe untill the Said Benjamin shall by himselfe or his Attorny appeare here the twelfth day of May next to answer unto the Said Lord Baltemore in the plea aforesaid.

Robert Carvile
ag^{t}
William Hollingsworth

It was Comanded the Sheriff of S^{t} Maries County that he take William Hollingworth of his County merchant otherwise called William Hollingsworth of the County of Charles County in the Province of Maryland merchant if &c to answer unto Robert Carvile One of the Attornyes &c in a plea that he render unto him twelve hundred thirty nine pounds of tobacco which he oweth and unjustly deteineth. Liber M M

And whereupon the Said Robert in his proper person saith that whereas the said William the fouretenth day of June in the One and fortith yeare of the Dominion of Caecilius &c in the yeare of Our Lord God One thousand six hundred seventy three by his certaine bill Obligatory sealed with the seale of him the said William and here by the said Robert brought into Court whose date is the day and yeare abovesaid acknowledged himselfe holden and firmly indebted unto Robert Carvile aforesaid the full & just quantity of twelve hundred thirty and nine pounds of good sound merchantable tobacco and caske to be paid to the said Robert Carvile his heirs execut^rs^ adm^rs^ or assignes upon demand to the which payment well and truly to be made to the said Robert Carvile his heirs or assignes the said William did bind himselfe his heirs executors and assignes Yet the said William the said Summe of twelve hundred thirty and nine pounds of tobacco and caske to him the said Robert though often thereunto requested hath not paid but altogether refuseth and denyeth the same whereupon he saith he is dampnified and hath losse to the Value of eighteen hundred pounds of tobacco & thereupon he bringeth his Suite.

Now here at this day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the same Sheriff returnes to the Court here that the said William is not found in his Bailiwick whereupon the said Robert prayeth this Court that an attachment against the goods and chattells of the Said William according to an act of Assembly in such case made and provided may be granted him and it is by the Court here granted unto him

Therefore it is Comanded the Said Sheriff that he attach any the goods or chattells of the said William Hollingworth if &c to the Value of sixteene hundred fifty two pounds of tobacco and them or any part thereof in his custody Keepe untill the said William shall by himself or his Attorny appeare here on the twelfth day of May next ensueing to answer the said Robert in the plea aforesaid. p. 189

Thomas Spinke
ag^t^
Robert Nicholas

Comand was given to the Sheriff of S^t^ Maries County that he take Robert Nicholas if &c to answer unto Thomas Spinke in a plea of trespas upon the case.

And whereupon the Said Thomas by Kenelm Cheseldyn his Attorny complaineth that whereas the Said Robert Nicholas the twelfth day of December in the yeare One thousand six hundred sixty Nine in consideration that he the said Thomas at the special instance and request of him the said Robert Nicholas would lett unto him the said Robert Nicholas storage at the house of him the Said Thomas

Liber M M for the quantity of three hundred bushells of Allum Salt for the space of One whole yeare and so long after as he the said Robert should require and have Occasion for the same the said Robert did assume upon himselfe and to the said Thomas did faithfully promise that he the said Robert would for the first yeare pay unto him the said Thomas for the Same the Summe of five hundred pounds of tobacco and so much as it should deserve for what time it should so long lye at the house of him the said Thomas and the said Thomas in fact saith that the said Salt hath had Storage at the house of him the said Thomas beyond the yeare agreed for the space of three yeares and three months and that he the said Thomas doth well deserve two hundred and fifty pounds of tobacco p yeare for the same in the whole eight hundred and twelve pounds of tobacco which together with the five hundred pounds of tobacco agreed for the first yeare in the whole amounteth unto thirteen hundred and twelve pounds of tobacco notwithstanding which the said Robert the said Summe of thirteene hundred and twelve pounds of tobacco according to his promise though often thereunto required according to his promise hath not paid but the same to him to pay hath and Still doth deny to the damage of the said Thomas One thousand pounds of tobacco and thereupon bringeth Suite

Now here at this day to wit the eightenth day of April in the 42th yeare of the Dominion of Caecilius &c the same Sheriff returnes to the Court here that the said Robert Nicholas is not found in his Bailiwick. whereupon the said Thomas prayeth this Court that attachment of the goods and Chattells of the said Robert may to him be granted according to act of assembly in Such case made and provided and it is granted unto him

Therefore it is Com̄anded the same Sheriff that he attach any the goods or chattells of the Said Robert if &c to the Value of seventeene hundred forty nine pounds of tobacco and them or any part thereof in his custody Keepe untill the said Robert shall by himselfe or his Attorny appeare here upon the twelfth day of may next to answer the said Thomas in the plea aforesaid.

Thomas Gibson
ag^t
Arthur Turner
W^m Hallett et al̄
ag^t
Demetrius Cartwright
the def^{ts} appeare by Kenelm Cheseldyne their Attorny and imparle till next Court

p. 190 On the backside of a patent Granted unto Gothfrid Harmar for three hundred and fifty acres the fourtenth day of January in the seaven & twentith yeare of the Dominion of Caecilius &c Annoq; Dom̄ One thousand six hundred fifty eight was thus written

Know all men by these presents that I Gothofrid Harmar of the County of Ann Arundell in the Province of Maryland doe hereby assigne and make Over all my right title and interest of the within mentioned Pattent and Land unto John Hatton of London Merchant warranting it from all claime or claimes that shall be laid unto it by any person or persons whatsoever as wittnes my hand this 26th of march 1660. Godhofryd Harmar Liber M M

Wittnes
John Stanesby
James Rigbe.

On the backside of a patent granted Oliver Spry for Six hundred acres of land the 17th of January in the 27th yeare of the Dominion of Caecilius &c Annoq͡ʒ Dom̄ 1658 was thus written

Know all men by these presents that I Oliver Spry Senior planter in the County of Providence in the Province of Maryland me my heirs executors & assignes doth hereby assigne and make Over all my right title and interest of the within mentioned Pattent and land unto John Hatton of London merchant or his assignes Giveing and granting unto him aforesaid and warranting it unto him it from all claime or claimes whatsoever as wittnes my hand this 10th of November 1660 ꝑ me Oliver Sprye

Tested by us
Robt: Vaughan
Thomas Stegoll

This assignmt acknowledged in Court by Oliver Sprye and his wife 10th 9th mō
Teste James Rigbie

This Indenture made the Sixtenth day of April in the two and fortith yeare of the Dominion of the Right Honble Caecilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c and in the yeare of Our Lord God 1674 Betweene Samuel Hatton of Talbott County Attorny of Thomas Hatton of Tewksbury in the County of Glocester and Kingdome of England Yeoman on the One part and Richard Keene of Calvert County in the said Province of Maryland Inholder on the other part Wittnesseth That whereas the said Lord Proprietary did by his Deed of Grant under the great seale of this Province beareing date the fourtenth day of January Anno 1658 for the considerations therein Named grant unto Gothf[rid] Harmar a parcell of Land called Mount Harmer lyeing on the east Side of Chesepiake Bay and On the north side of a River in the Said Bay called Sassafrax River neere unto the land laid Out for Axell Stile Begining On the west Side of a branch called Axells branch and runing south east up the river for bredth One hundred perches to a branch called Harmers branch bounding on the said branch runing North east up the branch for length three hundred and twenty perches On the north by a line drawn northwest from the end of the north northeast

Liber M M line untill it intersect a parralell lyne drawne from Axells branch On the west with the said paralell and branch On the South with the said River Containeing and then laid Out for two hundred Acres more or lesse And also a parcell of Land adjoyning to the former at the head of Harmars branch runing northwest and by west down the branch to a point One hundred and eighty perches
p. 191 then South One hundr^d seventy five perches then north east One hundred and fifty perches to a marked Oake in a Valley bounding On the east by a line drawne north into the said branch from the Said Oake and by the said branch On the South west and North by the said River Containeing and laid Out for One hundred and fifty acres in all three hundred and fifty acres be it more or lesse and under such rents and Services as in the said Grant thereof is expressed relation being thereunto had will more at large appeare To have and to hold the Same to him the said Gothfrid Harmer his heirs or assignes forever Afterwards that is to say the six and twentith day of March Anno 1660 the said Gothfrid Harmar did by his certaine instrument in writeing under his hand assigne sell and sett Over unto One John Hatton of London Merchant the said parcell of Land called Mount Harmer with the appurtenñces thereunto belonging And whereas the said Lord Proprietary did by his Other deed of grant under the great Seale of this Province beareing date the sevententh day of January Anno 1658 for the considerations therein named grant unto Oliver Spry a parcell of Land called Spryes-hills lyeing On the east Side of Chesepiake Bay and On the north side of the Said Bay in a River called Sassafrax River next adjoyning to the Land lately laid Out for Gothfrid Harmer Begining neere the head of a branch called Harmers branch at a Chestnutt tree Standing upon the Side of a hill neere to the mouth of a Creeke called Spryes Creeke runing for bredth by the Said land and River south east and by east three hundred perches to a marked Oake by the river side bounding On the east by a line drawne north and by west for lenght three hundred and twenty perches On the north by a line drawne northwest and by west from the end of the north and by west line untill it intersect a paralel drawne from Spryes Creeke On the west with the said creeke on the South with the said River Containeing and then laid Out for six hundred acres more or lesse and under such rents and services as in the said grant is expressed relation being thereunto had will likewise move at large appeare Afterwards that is to say the tenth day of November Anno 1660 the said Oliver Spry did by his certaine instrument in writeing duly executed assigne Sell and Sett over unto the aforesaid John Hatton of London merchant the said parcell of Land called Spryes hills with the appurtenñces thereunto belonging To have and to hold the Said two parcells of Land called Mount Harmer and Spryes hills to his heirs and assignes for ever By Vir-

ture of which instruments of writeing the said John Hatton became Liber M M Seized of in and to the said two parcells of land of a good and Sure estate in ffee Simple And whereas the said John Hatton being so seized of the said two parcells of Land and dyeing in this Province intestate It is found by a certaine Inquisition taken in this Province that the Lands and possessions that were of the said John Hatton deceased are legally descended unto the abovenamed Thomas Hatton of Tewksbury aforesaid as Brother and next heire to the said John Hatton deceased. Now this Indenture further Wittnesseth That whereas I the said Samuel Hatton being constituted Ordained and appointed (by the said Thomas Hatton heire to the Said John Hatton) his true and lawfull Attorny for the Sale and disposall of any of the Lands or tenements which were the said John Hattons within this province Have for and in Consideration of the Summe of thirty thousand pounds of tobacco to me already paid by the said Richard Keene the receipt whereof I due hereby acknowledge Given Granted bargained and sold and doe by these presents give grant bargaine sell enfeoffe and confirm unto him the said Richard Keene p. 192 the aforesaid two parcells of land called Mount Harmer and Sprys Hills together with all rights proffits benefitts and cōmodities to the said Severall parcells of land or any of them belonging or in any wise appurteineing to wit all houses Outhouses Orchards fences woods underwoods meadowes pasture timber and timber trees now being upon or belonging to the said two parcells of Land also all and every the said grants deeds writeings and evidences of and concerning the Said Seu^{r}ll parcells tracts or devidents of Land called Mount Harmer and Spryes hill and according to the meets and bounds above expressed To have and to hold the same unto him the said Richard Keene his heirs and assignes for ever to the Only proper use and behoofe of him the said Richard Keene his heirs and assignes for ever. to be holden of the right Hon^{ble} the Lord Proprietary by the rents and Services and under the conditions therefore due and reserved And the said Samuel Hatton for himselfe his heirs executors and administrators and every of them doe Covenant promise and grant to and with the said Richard Keene his heirs and assignes and every of them by these presents that he the Said Samuel Hatton his heirs execut^{rs} and administrators and every of them the Severall tracts and dividents of land and every of them before by these presents bargained and sold or hereby intended to be bargained and sold with their and every of their appurtenñcs unto him the said Richard Keene his heirs and assignes against him the said Thomas Hatton his heirs or assignes and all and every other person or persons whatsoever claimeing or to claime by from or under him them or any of them shall & will for ever hereafter defend and warrant by these presents And further the said Samuel Hatton doth for himselfe his heirs executors and administrators Covenant prom-

Liber M M ise and grant to and with the said Richard Keene his heirs executors administrators and assignes that the aforesaid two parcells of land are free and cleere of and from all and all manner of former gifts grants bargaines Sales Leases Mortgages rents arrearages of rents joyntures dowers dutyes titles troubles and incumbrances whatsoever had made committed Suffered or done or to be had made committed Suffered or done by the said Samuel Hatton his heirs or assignes or him the said Thomas Hatton his heirs or assignes or by any other person or persons whatsoever the rents and services hereafter to become due to the right Hon^ble^ the Lord Proprietary alwayes excepted and foreprized And further he the said Samuel Hatton doe for himselfe his heirs executors and administrators Covenant promise and agree to and with the said Richard Keene his heirs and assignes that he the said Samuel Hatton his heirs and assignes shall and will at all times hereafter for and dureing the Space of five yeares next ensueing the date of these presents doe make acknowledge execute and suffer or cause to be made done acknowledged executed and suffered all and every such further lawfull act and acts thing and things device and devices Conveyance and Conveyances in the Law with warranty against him the said Thomas Hatton and his heirs for the further and more assurance and Sure makeing of the premisses unto him the said Richard Keene his heirs or assignes be it by ffine Deed inrolled inrollment of these presents or any other lawfull way or meanes whatsoever as by the said Richard Keene his heirs or assignes or his or their Council learned in the Lawes Shall be reasonably devised advised or acquired but at the Only costs and charges in the Law of him the said Richard Keene his heirs or assignes In testimony whereof p. 193

Sealed and delivered in Samuell Hatton (seale.)
the presence of
Jn^o^ Blomfeild
John Grigge
Tho: Vaughan

Maryland ss.

Know all men by these presents that I Samuel Hatton of the County of Talbott Attorny of Thomas Hatton of Tewksbury in the County of Glocester and Kingdome of England am holden and firmly bounden unto Richard Keene of Calvert County in the said Province of Maryland in the full and just quantity of sixty thousand pounds of tobacco and caske to be paid to the said Richard Keene his heirs executors adm^rs^ or assignes for the which payment well and truly to be made I the said Samuell Hatton doe bind my Selfe my heirs executors and administrators firmly by these presents Sealed with my Seale and dated the Sixteenth day of April Anno 1674.

The Condition of this Obligation is such that if the abovebounden Samuel Hatton his heirs executors and administrators shall and doe well and truly Observe performe fullfill and Keepe all and every the Severall Covenants grants articles and agreements for ever hereafter to be observed performed fullfilled and Kept which are mentioned Specified and contained in a certaine Indenture beareing even date with these presents had and made betweene the said Samuel Hatton of the One part and the abovenamed Richard Keene on the other part and which on the part of the said Samuel are to be Observed performed fullfilled and Kept that then this Obligation to be Void and of none effect otherwise to Stand remaine and be in full power force Strength and Virtue. Liber M M

Sealed and delivered in Samuell Hatton (Seale.)
the presence of Us
Jn^o^ Blomfeild
John Grigge
Tho: Vaughan

The abovewritten bond together with the foregoing Indenture was by the said Samuel Hatton acknowledged in Open Court to be his act and deed the 18th day of April 1674.

Benjamin Rozer
ag^t^
Samuel Cressey

Be it remembered that at this Court to witt the fiftenth day of April in the two and fortith yeare of the Dominion of Caecilius &c Annoq̃ Dom̃ 1674 Came Benjamin Rozer Gent One of the Attornyes of the Court and exhibiteth here into Court his certaine bill against Samuel Cressey Gent One of the Attornyes of this Court of a plea that he render unto him the Summe of Sixteen thousand five hundred eighty and eight pounds tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said Benjamin in his Proper Person saith that whereas the said Samuel the fourtenth day of May 1673 by his certaine writeing Obligatory Sealed with the Seale of him the said Samuel whose date is the day and yeare abovesaid and here in Court produced did acknowledge himselfe to owe and stand indebted unto the said Benjamin in the full and just Summe of sixteene thousand five hundred eighty and eight pounds of sound merchantable leafe tobacco in caske to be paid to the said Benjamin his heirs assignes or certaine Attorny conveniently neare Portobacco creeke upon demand to which payment well and truly to be made and done the said Samuel did bind himselfe his heirs executors & adm^rs^ firmly by those presents Notwithstanding which the said Samuel the said sixteene thousand five hundred eighty and eight pounds of tobacco to him the said Benjamin according to the tenor of the said writeing Obligatory hath not Paid though often demanded but the same to p. 194

Liber M M pay hath denyed and still doth deny whereupon the said Benjamin saith he is dampnified & hath losse to the Value of tenn thousand pounds of tobacco and thereupon he bringeth his suite.

And the aforesaid Samuel Cressey in his proper person cometh and defendeth the force and injury when &c and prayeth the heareing of the said writeing Obligatory and it is read unto him he prayeth also the heareing of the Condition of the Said writeing Obligatory and it is read unto him in these words vizt The Condition of this Obligation is such that if the above bounden Samuel Cressey his heirs executors & administrators shall well and truly pay or cause to be paid to the said Benjamin Rozer his heirs assignes or certaine Attorny the summe of eight thousand two hundred ninty foure pounds of good Sound merchantable leafe tobacco and caske conveniently neare Portobacco Creeke On or before the tenth day of October next ensueing after the date hereof without fraud or delay that then this Obligation to be Void otherwise to Stand in full force Power and Virtue. which being read and heard the said Samuel as to the said Summe of eight thousand two hundred ninty foure pounds of tobacco and caske nothing thereof in barr saith by which the said Benjamin against the said Benj Samuel for the said Summe of eight thousand two hundred ninty foure pounds of tobacco remaineth thereupon wholy undefended Therefore it is considered by the Court here that the said Benjamin recover against the said Samuel the said quantity of eight thousand two hundred ninty foure pounds of tobacco and caske and the Said Samuel in mercy &c. Teste of Suite 500 ℔ tob.

Mr Carvile

Whereas there is a suite depending betwixt me and ffrancis Swinfen in an action of debt for three thousand ninty Seaven pounds of tobacco I doe hereby acknowledge to haue received full satisfaction for the said debt and therefore I doe desire you do acknowledge Satisfaction upon record of the said judgmt obteined upon the said action for your so doeing this shall be your warrant Given under my hand this 16th day of April 1674

Testis John Rousby. Daniel Jenifer

Memorandum that upon the 16th day of April 1674 came Robert Carvile Attorny of Daniel Jenifer plt against ffrancis Swinffen deft and doth acknowledge upon the record that the said Daniel Jenifer hath received full satisfaction for and upon the judgment Obtained in this cause Robt Carvile p quer.

p.195 Christopher Rousby
agt
William Baker

William Baker late of St Maries County otherwise called William Baker of St Maries County in the Province of Maryland planter was sumōned to answer unto Christopher Rousby Gent of a plea that he render unto him two thousand foure hundred and eighteene pounds of tobacco which to him he oweth and unjustly deteineth &c.

Liber M M

And whereupon the said Christopher by John Rousby his Attorny saith that whereas the said William upon the first day of November in the yeare of Our Lord One thousand six hundred seventy and two by his certaine bill Obligatory sealed with the seale of him the said William and here in Court produced whose date is the day and yeare abovesaid did bind himselfe his heirs executors and administrators to pay unto the said Christopher the just quantity of two thousand foure hundred and eighteene pounds of good sound well conditioned tobacco in caske convenient, to be paid to the said Christopher or to his certaine Attorny executors adm^rs^ or assignes at his the said Williams then dwelling plantacōn upon the Bay side in S^t^ Maries County aforesaid Notwithstanding the aforesaid William although often demanded the said summe of two thousand foure hundred and eighteene pounds of tobacco to the said Christopher hath not hitherto paid or satisfied but the same to him the said Christopher to pay or satisfie doth still deny and refuse whereupon he saith he is dampnified and hath damage to the Value of five thousand pounds of tobacco And thereupon he bringeth his Suite.

And the said William by Robert Carvile his Attorney cometh and defendeth the force and injury when &c and saith that he is not informed by the said W^m^ his Client of any answer for the said William to the aforesaid Christopher Rousby in the declaration aforesaid to be given and saith nothing else thereupon by which the same Christopher Rousby remaineth against the aforesaid W^m^ thereupon undefended therefore it is considered that the said Christopher recover against the said William the aforesaid summe of two thousand foure hundred and eighteen pounds of tobacco debt and two hundred fifty six pounds of tobacco costs of suite And the def^t^ in mercy &^c^.

Christopher Rousby
ag^t^
William Baker

William Baker late of S^t^ Maries County Planter was attached to answer Christopher Rousby Gent in a plea of Trespas upon the case

And whereupon the said Christopher by John Rousby his Attorny saith that whereas the said William the tenth day of November in the yeare of Our Lord One thousand six hundred seventy two being justly indebted to the said Christopher the summe of three hundred and thirty pounds of tobacco in consideration thereof did assume upon himselfe and to the said Christopher did faithfully promise the said three hundred and thirty pounds of tobacco would well and truly pay at any time then after when he should be thereunto required Notwithstanding which the said William although often required the said summe of three hundred and thirty pounds

Liber M M of tobacco to the said Christopher hath not paid but the same to him to pay and Satisfie hitherto hath denyed and refused and as yet doth deny and refuse whereupon the said Christopher Saith he is dampnified and hath losse to the Value of two hundred pounds of tobacco and thereupon he bringeth his suite &c.

And the said William by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that he is not informed by the said William his Clyent of any answer for the said William to the aforesaid Christopher in the declaration aforesaid to be given and Saith nothing else thereupon By which the Same Christopher remaineth against the aforesaid William thereupon undefended
p. 196 Therefore it is considered that the said Christopher recover against the aforesaid William the aforesaid Summe of three hundred and thirty pounds of tobacco the debt aforesaid and two hundred fifty Six pounds of tobacco costs And the deft in mercy &c.

Maryland ss. To Robert Carvile Gent One of the Attornyes of the Provinciall Court or to any Other Attorny of the Said Court.

These are to desire and authorize you or any of you to appeare for me William Baker of St Maries County Planter at the suite of Christopher Rousby Gent in an action of debt for two thousand foure hundred and eighteene pounds of tobacco and to confesse judgment for the said debt and costs of suit by Nihil dicit non sum informatus or Otherwise as you shall thinke ffitt & also to appeare for me at the suite of the said Christopher in a plea of trespass upon the case for three hundred and thirty pounds of tobacco with costs of Suite and for your or any of your So doeing this shall be your sufficient warrt Given under my hand & Seale this 28th day of January in the yeare of Our Lord 1673.

Sealed and delivered in the presence of us
Jo Rousby
Geo: Lockier

the marke of
William B Baker (seale)

Samuel Winslow agt Wm Moffett & Jno Grāmer

William Moffett and John Grammer late of Calvert County planter otherwise called William Moffett and John Grāmer of Calvert County were Sum̃oned to answer unto Samuel Winslow merchant in a plea that they render unto him the summe of three thousand pounds of tobacco which to him they Owe and unjustly detaine &c.

And whereupon the said Samuel by John Rousby his Attorny saith that whereas the said William Moffett and John Gramer upon the twentith day of November in the yeare of Our Lord One thousand six hundred Seventy two by their certaine bill Obligatory sealed with the seales of the said William and John and here in Court produced whose date is the same day and yeare did acknowledge themselves joyntly and severally to Owe and stand indebted unto the said Samuel in the full and just summe of three thousand pounds of good merchantable tobacco to be paid at or upon the twentith day of March then next ensueing the date of the said bill at some Convenient place in the County of Dorcester and to the same payment well and truly to be made they bound themselves their heirs execut^{rs} and adm^{rs} joyntly and severally by those presents Notwithstanding the aforesaid William and John although often demanded the aforesaid Summe of three thousand pounds of tobacco to the said Samuel hath not nor either of them hath paid or satisfied but the same hitherto have denyed and as yet doe deny and refuse whereupon he saith he his dampnified and hath losse to the Value of two thousand pounds of tobacco And thereupon he bringeth his Suite Liber M M

And the said John by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and saith that he is not informed by the said John his Client of any answer for the said John to the said Samuel in the declaration aforesaid to be given and Saith nothing else thereupon by which the said Samuel Winslow remaineth against the aforesaid John thereupon undefended therefore it is considered that the said Samuel recover against the aforesaid John the aforesaid Summe of three thousand pounds of tobacco debt and two hundred fifty six pounds of tobacco costs and the Said John in mercy &c.

Maryland ss To Robert Carvile and Kenelm Cheseldyne Gent Attornyes of the Provinciall Court or to either of them or any other Attorny of the said Court. p. 197

These are to authorize you or either or any of you to appeare for me John Grāmer the next Provinciall Court in an action of debt for the Summe of three thousand pounds of tobacco brought against me and William Moffett by Samuel Winslow merchant to confesse judgment for the said debt with cost of suite by non sum informatus nil dicit or Otherwise and for your or any of your so doeing this shall be your Sufficient warrant Given under my hand and seale this 8th day of April in the yeare of Our Lord 1674

Sealed and delivered in the presence of us John Grammer (seale)
Jo: Rousby
George Lockier.

Liber M M

Robert Gibbs
ag^{t}
W^{m} Moffett &
Jn^{o} Grammer

William Moffett and John Grammer late of Calvert County Planters otherwise called William Moffett and John Grammer of Calvert County were Summoned to answer unto Robert Gibbs merchant in a plea that they render unto him three thousand pounds of tobacco which to him they Owe and unjustly doe detaine &c

And whereupon the said Robert by John Rousby his Attorny saith that whereas the said William Moffett and John Grammer upon the twentith day of November in the yeare of Our Lord One thousand six hundred seventy two by their certaine bill Obligatory Sealed with the seales of the said William and John and here in Court produced whose date is the Same day and yeare did acknowledge themselves joyntly and severally to owe and stand inunto the said Robert his heirs execut^{rs} or adm^{rs} the full and just sume of three thousand pounds of good merchantable tobacco to be paid at or upon the tenth day of October in the yeare One thousand Six hundred seventy three at some Convenient place in the County aforesaid and to the same payment well and truly to be made they bound themselves their heirs execut[^{rs}] and adm^{rs} joyntly and severally by those presents Notwithstanding the aforesaid William and John though often demanded the said summe of three thousand pounds of tobacco to the said Robert they nor either of them have not paid or satisfied but the same to him to pay they have refused and denyed and yet doe deny whereupon he saith he is dampnified and hath damage to the Value of two thousand pounds of tobacco and thereupon he bringeth his suite

And the said John by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that he is not informed by the said John his Client of any answer for the said John to the said Robert in the declaration aforesaid to be given and saith nothing else thereupon By which the said Robert Gibbs remaineth against the said John thereupon undefended therefore it is considered by the Court here that the said Robert recover against the aforesaid John the aforesaid summe of three thousand pounds of tobacco debt and two hundred fifty six pounds of tobacco Costs and the def^{t} in mercy &c.

Maryland ss. To Robert Carvile and Kenelm Cheseldyne Gent Atturnyes of the Provincial Court or to either of them or to any other Attorny of the Same Court

These are to desire and authorize you or either or any of you to appeare for me John Grāmer at the next Provinciall Court at the suite of Robert Gibbs merch^{t} in an action of debt by him brought against me and W^{m} Moffett for the sum̃e of three thousand pounds of tobacco to confesse judgm^t for the said debt with costs of suite by non Sum informatus nil dicit or otherwise & for your or any of your so doeing this shall be y^t Sufficient warrant Given under my hand & seale this 8th day of April Anno 1674. Liber M M

Sealed & delivered in the p^r sence of John Grammer (seale)
Jo: Rousby
George Lockier.

p. 198 Memorandum that at this Court to wit the Fiftenth day of April in the two and fortith yeare of the Dominion of Caecilius &c His Excellency the Cap^t Gen^ll delivered up these foure following Patents to be made Void upon record Vizt

John Caines Patent for 50 Acres of Land called Spring Plaine dated the 30th of June 1668

John Wards Patent for 150 Acres of land called Pomfret dated the 7th of March 1667.

Garett Sennotts Patent for 150 Acres of land called S^t Peters dated the 24th of May 1664

John Caines Patent for 300 Acres of land called S^t Patricks-hill dated the 26th of May 1664.

The said severall parcells of Land being reserved for his Lo̅pps use

Constant Daniel Petitioneth this Court that whereas this Court Ordered in April Court last past that he should maintaine take care and looke after Elizabeth late daughter of Richard Russell deceased for One yeare and the Petitioner, now prayes Satisfaction for the same.

Whereupon Ordered that Thomas Vaughan satisfie and pay the said Constant Daniel twelve hundred pounds of tobacco in caske.

Upon the Petition of John Blackistone being Sumoned as a wittnes by James Neale Senior in a suite depending between him and John Upgate

Ordered that the said James Neale satisfie and pay the Petitioner two hundred and ten pounds of tobacco for the same.

This Indenture made the twentith day of ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1673 **Betweene** Daniel Jenifer of Accomack in the Collony of Virginia Gent of the One Party and Thomas Courtney of S^t Maries County in the Province of Maryland Planter Of the Other party **wittnesseth** That the said Daniel Jenifer for and in consideration of the Summe of five thousand pounds of tobacco to him in hand paid by the said Thomas Courtney before the ensealeing and delivery of these pres-

Liber M M ents the receipt whereof the said Daniel doth hereby acknowledge and thereof and of every part and parcell thereof doth clearely and absolutely acquitt exonerate and discharge him the said Thomas Courtney his executors and administrators by these presents and for divers other good causes and Valuable considerations him thereunto moveing **hath** given granted aliened sold enfeoffed and confirmed and by these presents doth give grant alien sell enfeoff and confirme unto the said Thomas Courtney his heirs and assignes for ever all that tract parcell or Devident of Land called or Knowne by the name of Come-Away lyeing in S^{t} Maries County and begining at a marked red Oake neere a marsh by the Bay called Clockers marsh and runing South for bredth thirty perches to a marsh called Come-away marsh and from the said marked Oake by a line drawne south-west for three hundred and foure perches to a marked Oake and from the said marked Oake for breadth into the woods by a line drawne northwest and by north One hundred perches to a marked Oake and from the said Oake by a line east and by north to the first redd Oake two hundred and eighty perches Containeing by estimation One hundred Acres more or lesse with all and every the Lands tenements houses buildings edifices gardens Orchards pastures p. 199 rights members and appurtenñcs to the said parcell of Land belonging or any wayes apparteineing together with all Deeds evidences Patents grants Charters escripts writeings and minim^{ts} whatsoever of or concerning the Same **To have and to hold** the said Land and premises to the Only proper use and behoofe of him the said Thomas Courtney his heirs and assignes forever And the Said Daniel doth hereby for himselfe his heirs executors and administr^{rs} Covenant and agree to and with the said Thomas Courtney his heirs executors and administrators that he the said Daniel at the ensealeing and delivery of these presents is and doth stand seized of the said Land and premisses with their appurtenñces of a firme good Sure and undefeasible estate of inheritance in ffee Simple and that he hath good right and full power and lawfull authority to grant bargaine and sell the Same to him the said Thomas Courtney and his heirs and that he will for ever warrant and defend the same to him the said Thomas Courtney and his heirs against all persons whatsoever claimeing by from or under him the said Daniel his heirs executors and administrators and also from all claime and claimes of Dower made or hereafter to be made by Ann his now wife or any person or persons claimeing by from or under her or to her use or by her procurement for or in the nature of dower joynture or settlement upon Marriage or after and that the said Land and premisses are free and cleere of all manner of incumbrances whatsoever the rents and services due and payable to the Lord Proprietary and his heirs Lord and Lords of the ffee of the premisses alwayes excepted and foreprized And the Said Daniel doth further for himselfe his heirs executors and adm^rs^ covenant promise and agree to and with the said Thomas Courtney his heirs executors and assignes and every of them by these presents at any time within this seaven yeares next comeing at the reasonable request and at the proper costs and charges in the Law of him the said Thomas Courtney his heirs and assignes to doe acknowledge make and execute any other lawfull Conveyance or Conveyances assurance or assurances in the Law whether it be by fine and recovery or involment of these presents or otherwise whatsoever as by the Council of the said Thomas Courtney learned in the Law shall be reasonably devised advised or acquired **In wittnesse whereof** the parties abovenamed have to these p^r^sent Indentures interchangably Sett their hands and Seales the day and yeare first abovewritten Liber M M

Signed sealed and delivered in Daniel Jenifer (Seale)
the presence of
G V Sweringen
Walter Hall
John Baker

On the backside of the aforegoeing Indenture was thus written Vizt Know all men by these presents that I the within named Daniel Jenifer doe by these presents nominate constitute and appoint George Thompson and William Baker of the County of S^t^ Maries Planters my true and lawfull Attornyes joyntly and Severally for me and in my name in the within bargained premisses or any part thereof in the name of the whole to enter and peaceable and quiet possession thereof for me and to my use to take and thereof quiet and peaceable possession in my name and Stead to him the within named Thomas Courtney his heirs and assignes to deliver to the use of him the said Thomas Courtney his heirs and assignes according to the true purport and meaning of the Indenture within written In Wittnes p. 200
whereof I have hereunto Set my hand and Seale the day and yeare within written

Sealed and delivered in Daniel Jenifer (Seale)
the p^r^sence of
G V Sweringen
Walter Hall
Jn^o^ Baker

Maryland ss.

Know all men by these presents that I Daniel Jenifer of Accomack in the Collony of Virginia Gent am holden and firmly bounden unto Thomas Courtney of S^t^ Maries County in the said Province planter in the full and just Summe of ten thousand pounds of good sound tobacco and caske to be paid to the said Thomas Courtney his heirs executors administrators or assignes To the which payment well and truly to be made I binde myselfe my heirs executors and adm^rs^ firmly by these presents Sealed with my seale and dated the twentith day of

Liber M M ffebruary in the 42th yeare of the Dominion of Caecilius &c Annoq; Dom̄ 1673.

The Condition of this Obligation is Such That if the abovebounden Daniel Jenifer his heirs executors and admrs and every of them doe and shall from time to tyme and at all times hereafter well and truly Observe performe fullfill and Keepe all and every the Severall Covenants grants articles and agreements mentioned specified and contained in a certaine paire of Indentures beareing even date with these presents and had and made betweene the said Daniel Jenifer of the One party and the abovenamed Thomas Courtney of the other party and which of the part of the said Daniel are to be observed performed fullfilled and Kept that then this present Obligation to be Void and of none effect otherwise to Stand remaine and be in full force power and Virtue.

Sealed & delivered in Daniel Jenifer (Seale)
the prsence of
G V Sweringen
Walter Hall
Jno Baker.

The abovewritten bond together with the aforegoing Indenture were by the said Daniel Jenifer acknowledged in Open Court to be his Act and Deed April the 15th 1674.

To all xpiān people to whom these presents Shall Come I Bryan Daley of St Maries County in the Province of Maryland planter Send **Greeting** in Our Lord God everlasting **Know yee** That whereas Caecilius absolute Lord and Proprietary of the Province aforesaid and Avalon Lord Baron of Baltemore &c by his Patent under the great seale of the said Province of Maryland beareing date the twelfth day of May in the three & thirtith yeare of his Lop̄ps Dominion Over the Said Province Annoq; Dom̄ One thousand six hundred sixty foure did grant unto Thomas Edmunds and Gasper Guerdin of the Same Province Chirurgeon a parcell of Land called the Devideing lyeing on the east side of Chesepiake Bay and on the east Side of a River in the Said Bay called Elke River Begining at a marked Oake standing by the mouth of a creeke called Guerins creeke and runing up the said River north and by east for three hundred perches for bredth to a marked Oake standing On a banck with a line drawne east and by south from the said marked Oake three hundred and twenty perches till it intersect a paralell runing South and by west three hundred and twenty perches to Guerins Creek On the south with the said Creeke to the marked Oake On the west with Elke River On the north with the said line On the east with the said paralell Containeing and then laid Out for six hundred Acres more or lesse together with all rights profitts and p. 201 benefitts thereunto belonging (Royall mines excepted) To have and to hold the same to them the said Thomas Edmunds and Gasper Guerin their heirs and assignes for ever for and under divers and

Liber M M

Severall the rents reservations and services therein referred as by the said rented Patent recourse being thereunto had more fully and more at large it doth and may appeare And whereas also the said Gasper Guerin afterwards to wit the first day of November in the yeare One thousand six hundred sixty six by his certaine writeing under his hand and seale did freely give and grant unto me the said Bryan Daley the One moyety or halfe part of the abovesaid parcell of land likewise appeareing upon record in the Provinciall Court of the Same Province **Now Know yee further** that I the Said Bryan Daley for and in consideration of the full quantity of foure thousand pounds of tobacco in casque to me in hand paid by John English of the County of S^t Maries aforesaid planter the receipt whereof I doe hereby acknowledge and thereof and of every part and parcell thereof due clearely and absolutely acquitt and discharge the said John English his heirs executors and administrators for ever by these p^{r}sents **have** given granted bargained and sold and by these presents doe give grant bargaine and sell unto the said John English his heirs and assignes for ever **all** that moyety or halfe part of the abovesaid parcell of Land so to me given and granted as aforesaid with all and every the profitts and priviledges to the Same belonging or any wayes appurteining **To have and to hold** the said moyety or halfe part of the said parcell of Land with all and every the appurtenñcs to him the said John English his heirs and assignes for ever to the only use and behoofe of him the said John English his heirs and assignes forever To be holden of the said Lord Proprietary for and under the rents and services by the said Originall rented Patent reserved and hereafter to become due and payable **And** I the Said Bryan Daley my heirs executors and administrators the said moyety or halfe part of the said parcell of Land with the appurtenñces before by these presents bargained and sold or hereby intended to be bargained and sold to him the said John English his heirs and assignes against all manner of persons whatsoever shall and will forever hereafter warrant & defend by these presents **And know yee moreover** that I the Said Bryan Daley have constituted and in my place putt my loveing freind Henry Pennington my true and lawfull Attorny for me and in my stead to enter into all and every of the said premisses with their and every of their appurtenñcs or into any of them in the name of the whole and peaceable possession and seizin thereof for me and in my name to take and after such possession and seizin taken full & peaceable possession and livery of seizin thereof to the said John English or his Attorny in that behalfe for me and in my name to deliver according to the tenor forme force and effect abovewritten ratifieing and by these presents confirming all and whatsoever my Said Attorny shall doe or cause to be done in and about the premisses as fully and effectually as if I myselfe were personally present **In wittnesse whereof** I haue

Liber M M Sett my hand and seale hereunto the 18th day of April in the 42th yeare of his Lop̄ps Dominion &c Annoq̧ Dom̄ 1674
Signed Sealed & delivered
in the prsence of
Jno Blomfeild
John Griggs.
Seale.

p. 202 Know all men by these prsents That I Bryan Daley of the County of St Maries in the Province of Maryland Planter am holden and firmly bounden unto John English of the same County planter the full quantity of eight thousand pounds of tobacco in caske to be paid to the said John or to his certaine Attorny his executors admrs or assignes to the which payment well and truly to be made I bind my selfe my heirs executors and administrators firmly by these prsents sealed with my seale and dated the thirtenth day of April in the 42th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ One thousand six hundred seventy foure.

The Condition of this Obligation is Such That whereas the above-bounden Bryan Daley by his deed Poll beareing date with these presents for the consideration therein expressed hath bargained and sold to the above named John English his heirs and assignes One moyety or halfe part of a parcell of Land called the Deviding lyeing on the east Side of Chesepiake Bay and On the east side of a river in the said Bay called Elke River To haue and to hold the same to him the said John English his heirs and assignes to the only use and behoofe of him the said John English his heirs and assignes for ever with warranty against all persons whatsoever as by the said Deed Poll relation being thereunto had it doth & may move at large appeare If therefore the said Bryan Daley his heirs executors & administrators & every of them shall and will from time to time and at all times hereafter well and truly warrant and defend the said moyety or halfe part of the said parcell of Land to him the said John English his heirs and assignes against all persons whatsoever according to the purport and meaning of the said Deed Poll and also if the said Bryan Daley and all and every the heirs of the said Bryan Daley shall at all times hereafter and from time to time at the reasonable requests costs and charges in the Law of him the said John English his heirs or assignes or any of them make due suffer acknowledge and execute or cause to be made done suffered acknowledged and executed all and every such further and other lawfull act & Acts thing and things devise and devises assurance or assurances in the Law of the same premisses for the better assureing conveying and more Sure makeing of the premisses to him the said John English his heirs and assignes forever with warranty against all persons whatsoevr as shall by the said John his heirs or assignes or his or their Council learned in the Law or any of them be reasonably devised advised or acquired That then this Obligation to be Void or also to Stand in full force. Liber M M

(Seale)

Sealed and delivered in
the p^r^sence of
Jn^o^ Blomfeild
John Griggs.

The abovewritten bond together with the aforegoeing Deed was the 14th day of April in the 42th yeare of the Dominion of Caecilius &c by the Said Bryan Daley acknowledged in Open Court to be his Act and Deed.

This Indenture made the fourteenth day of April A. 1674 Betwe[ene] ffrancis Gunby of S^t^ Maries County in the Province of Maryland Joyner of the One party and Thomas Gant of Calvert County in the Province aforesaid Ordinary Keeper of the other part Wittnesseth that the said ffrancis Gunby for divers good causes and considerations him thereunto moveing and namely for and in consideration of three thousand five hundred pounds of tobacco to him the said Gunby delivered and in hand paid before the signing sealing and delivering of these presents the receipt whereof he the said Gunby doth hereby acknowledge and himselfe therewith fully satisfied contented & paid Hath given granted bargained sold enfeoffed and confirmed and by these presents doth freely clearly and absolutely give grant bargaine sell enfeoffe and confirme from him the said Gunby his heirs executors adm^rs^ and assignes forever all that parcell of Land lyeing scituateing and being In Dorcet p. 203 County called Edloes Purchase and by the Right Hon^ble^ Caecilius Absolute Lord and Proprietary of the Province of Maryland Avalon Lord Baron of Baltemore by Patent under his great seale of his said Province of Maryland Annoꝗ Dom̃ 1668 granted unto Joseph Edloe of Calvert County in the Province of Maryland planter lyeing scituateing and being On the eastside of Chesepiake Bay in Dorcester County in the woods neere the head of S^t^ John Creeke Begining for breadth at a bounded tree of Thomas Taylors land and runing by a line drawne north and by west joyning upon the land of Raymond Staplefort sixty perches bounding On the north with ffrancis Anktill Land and a line drawne west and by South for lenght five hundred thirty four perches to a marked pine bounding on the west by a line drawne south and by east Sixty perches to a marked Oake On the south with the Land of Thomas Taylor containing and laid Out for two hundred acres more or lesse together with all rights profitts and benefitts thereunto belonging Royall mines except To haue and to hold the said parcell of land together with all rights jurisdictions and appurtenñcs whatsoever thereunto belonging or in any manner of wayes appurteineing unto him the said Thomas Gant his heirs executors adm^rs^ or assignes for ever Yeilding

Liber M M and paying therefore yearly the Right Honble the Lord Proprietaryes rent for the same And the said ffrancis Gunby doth hereby bind himselfe his heirs executors administrators and assignes to warrant and defend the sale hereof against all manner of persons whatsoever lawfully claimeing by from or under him the said Gunby his heirs executors administrators or assignes or of by or from any other person or persons whatsoever lawfully claimeing by from or under him them or any of them and that the said Gant his heirs executors administrators and assignes for ever shall and may lawfully have hold use Occuppy Possesse and enjoy the said Parcell of Land with all and every its appurtenñces thereunto belonging or in any manner of wayes appurtaineing without any the least lett suite interruption eviction or expulsion of the said Gunby his heirs executors administrators or assignes forever or of by or from any other person or persons whatsoever and in consideration hereof the said Parties abovespecified have hereunto these Indentures interchangably sett to their hands and affixed their Seales the day and yeare above specified. ffrancis Gunby ɛ his marke (seale.)

Signed Sealed and delivered
in the presence of Us.
George Thompson.

This Indenture was the 16th of April 1674 proved in Open Court by the Oath of George Thompson wittnes thereunto to be the act and deed of the said ffrancis Gunby.

Know all men by these presents that I ffrancis Gunby of St Maries County in the Province of Maryland Joyner doe hereby acquitt discharge exonerate and release Thomas Gant of Calvert County in the Province aforesaid Ordinary Keeper of & from all and all manner of bills bonds debts dues and demands actions suits; judgmts executions accompts reckonings trespasses Striffes Variances quarrells controversies whatsoever had made moved Stirred or depending betwixt the said Gunby and Gant from the begining of the
p. 204 World to the day of the date hereof as witnes my hand and seale this 14th day of April Annoqȝ Dom̃ 1674.

Signed Sealed and delivered ffrancis ɛ Gunby (Seale)
in the presence of us. his marke
George Thompson.

Memorandum that the aforegoing release was the 16th day of April in the 42th yeare of the Dominion of Caecilius &c. proved in Open Court by the Oath of George Thompson witnes thereunto.

Know all men by these presents that I Thomas Gant of Calvert County planter have remised released acquitted and discharged and by these presents for me my heirs executors administrators and assignes due freely cleerely and absolutely forever remise release Liber M M acquit and discharge unto ffrancis Gunbie of S^t^ Maries County Joyner his executors adm^rs^ & assignes all and all manner of action and actions suits arrests bills bonds policy and policyes of assurances summe and summes of many or tobacco Verdicts, judgments and executions debts duties reckonings accounts and demands whatsoever which I the said Thomas Gant have had now have or hereafter shall or may haue against the said ffrancis Gunby touching or concerning any matter or thing whatsoever from the begining of the world untill the day of the date hereof In wittnesse whereof I have hereunto set my hand and seale this 14th day of April Annoq̃ Dom̃ 1674.

Testes Ro: Carvile Tho: Gantt. (Seale.)
Robert ffrancklin
Richard Hill

Memorandum that the aforesaid release was the 16th day of April in the 42th yeare of the Dominion of Caecilius &c proved in Open Court by the Oath of Robert Carvile One of the wittnesses thereunto.

Upon the Complaint of Mary Philips of St Maries County Spinister the eightenth day of April in the 42th year of the Dominion of Caecilius &c of severall injuryes done unto her by some persons of this Province and She being a servant and not of capacity and ability to presente them at Law

Ordered that she be admitted in forma pauperis and that Kenelm Cheseldyne be appointed her Attorny therein.

The Court adjourned till the 12th day of May next

Maryland ss.

Memorandum that upon the eight day of May 1674 personally appeared before me Philip Calvert Esq̃ Chancellour of the said Province Mathias Decosta of St Maries County planter and Garret Vansweringen, One of the Alderm'n of the Citty of St Maries and did in pursuance of an act of Assembly entituled An Act for stay of executions after April Court confesse judgmt to John Charlsworth for two thousand five hundred pounds of tobacco debt and 1892 pounds tobacco costs of suite adjudged against the said Mathias Decosta by the Provincial Court with stay of execution untill the tenth day of October next following.

Acknowledged before me the day
& yeare abovesaid
Philip Calvert.

Memorandum that upon the 12th day of May in the 42th yeare p. 205 of the Dominion of Caecilius &c Came before the Honble Wm Cal-

Liber M M vert Esqꝫ Principall Secretary and One of his Lop̄ps justice of the Provincial Court Henry Rider and tooke the Oath of a Constable for St Michaels hundred in St Maries County.

Maryland ss.

Att a Provincial Court of the Right Honble Caecilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore held at the Citty of St Maries the twelfth day of May and there continued untill the sixtenth day of the same month before his Lop̄ps justices thereunto assigned Upon which said twelfth day of May was present

His Excellency the Capt Generall cheife justice

The Honble
Philip Calvert Esqꝫ Chancellour
William Calvert Esqꝫ Principall Secretary
Baker Bookes Esqꝫ

Caecilius Lord Baltemore
agt
Benjamin Cooper

It was Com̄anded the Sheriff of St Maries County that he attach any the goods or chattells of Benjamin Cooper of the Citty of London marriner otherwise called Benjamin Cooper master of the Shipp Elias to the Value of two hundred sixty six pounds Sterling if the same or any part thereof be found with his Bailiwick and them in his custody Keepe untill the said Benjamin by himselfe his Attorny should appeare here at this day to answer Caecilius Lord Baltemore of a plea that he render unto him two hundred pounds Sterling to say lawfull mony of England which to him he oweth and unjustly deteineth, Att which day the Same Sheriff makes returne of the writ aforesaid in these words Vizt

The execution of this writt appeares in a schedule hereunto annexed By Virtue of a writt of attachment to me directed and hereunto annexed com̄anding me to attach any the goods and chattells of Benjamin Cooper of the City of London marriner otherwise called Benjamin Cooper Master of the shipp Elias to the Value of two hundred sixty six pounds Sterling and them if found within my Bailiwick in my custody to Keepe untill the said Benjamin Cooper by himselfe or Attorny shall appeare at the next Provincial Court to be held at the City of St Maries the twelfth day of May next to answer unto Caecilius Lord Baltemore of a plea that he render unto him, two hundred pounds Sterling which he oweth &c I Luke Gardner High Sheriff of the County of St Maries have in the presence of Mr Robert Carvile Thomas Spinke and Henry Smith and others attached and seized this 28th day of April Ano Dom̄ 1674 in the hands custody and possession of Thomas Peirce shipp Carpenter at his the Said Thomas Peirces house in St Inagoes hundred in the Liber M M said County as the proper goods and Chattels of the said Benjamin Cooper and belonging to the said Shipp Elias whereof he was Com̃ander as aforesaid he the said Thomas Peirce being also present One long boate with a mast and boome, One grapnell two lee boards windlesse and David One maine saile, foresaile, shrowds, stay, Burton and pendant and One old fflat bottomed boate haveing sett the broad arrow upon the said Long boate and flatt bottomed boate for the whole, which said boates rigging and furniture I have left still in the possession of the said Thomas at his house aforesaid for his said Lop̄ps Use And whereas the said Benjamin Cooper had left in the possession of the said Thomas Peirce One Sloop with mast sailes One Cable One grapnell a boate and other furniture to the said sloop and boate belonging and the said Thomas Peirce haveing by Order from the said Benjamin lett the Said Sloop and boate with the appurtenñces to hire to One Burgy Anderson Master of the north Boare rideing at Anchor at Wiccocomocco in this Province at the rate and price of five pounds and ten shillings sterling Ꝑ month and the said Burgy Anderson haveing given to the said p. 206 Thomas Peirce a noate under his hand for the redelivery of the said Sloop and boate with the appurtenñces and for payment of the said five pounds tenn shillings Sterling Ꝑ month by bills of exchange I have also attached in the hands of the said Thomas Peirce the said noate or writeing under the hand of the said Burgy Anderson and the sloop boate and furniture to the same appurteineing so to be redelivered and the mony due or to be due to be paid for hire of the said sloop and boate which writeing also remaines in the custody of the said Thomas Peirce for his said Lop̄ps Use and other goods of the said Benjamin I cannot find in my Bailiwick as Wittnesse my hand this 28th day of April 1674 Luke Gardnor Sheriff

Now here at this day came aswell the said Sheriff and the said Caecilius Lord Baltemore by Robert Ridgley his Attorney likewise came but the said Benjamin came not but made default whereupon the said Caecilius Lord Baltemore prayed appraisment of the premisses aswell for the makeing of a certaine debt of forty two pounds two shillings Sterling due from the said Benjamin Cooper as also his costs and damages Susteined laid Out and expended in and about the prosecution of this Suite

Whereupon Ordered that Marke Cordea Mayor of this Citty and Walter Hall Gent appraise the said Long boate with mast boome grapnell Lee boards windlesse David maine saile foresaile shrowds stay Barton and pendant and One old flatt bottomed boate to the true Value thereof now in possession of the said Thomas Peirce and that the same be by the same Sheriff delivered to the said Caecilius Lord Baltemore or his Order he giveing security to the Court here to indempnifie the Court and make restitution of the

Liber M M same or the Value thereof in case the said Benjamin Cooper or his Attorny doe within One yeare and a day come in and make his and their just and due defence and proceed On in the said action in com̃on forme and make it appeare the said Caecilius Lord Baltemore is satisfied his just demands or any part thereof according to the true intent and meaning of a certaine Act of Assembly in that case made and provided.

ffurther Ordered that the said Thomas Pearce Keepe in his hands and possession the said note of the said Burgy Andersons to redeliver the sloop and boate with the appurteñncs untill the same be redelivered and that then the same be by the abovesaid appraisers appraised and by the Sheriff delivered as aforesaid together with what shall accrue due from the said Burgy Anderson for hire of the Same he the said Caecilius Lord Baltemore giveing Security as aforesaid.

And it is by the Court here Ordered that the said Caecilius Lord Baltemore recover against the said Benjamin Cooper aswell the said debt of forty two pounds two shillings sterling as also the summe of tenn pounds ten shillings and Six pence Sterling for his damages in this behalfe sustained together with Costs of Suite.

Robert Carvile
agt
William Hollingworth

It was Comãnded the Sheriff of St Maries County that he attach any the goods or Chattells of William Hollingworth late of his County merchant otherwise called William Hollingworth of the County of Charles County in the province of Maryland merchant if they should be found in his Bailiwick to the Value of sixteene hundred sixty two pounds of tobacco and them in his Custody Keepe untill the said William Hollingworth should by himselfe or his Attorny appeare before his Lop̄ps justices here this twelfth day of May to answer Robert Carvile One of the Attornyes of this Court according p. 207 to the libertyes and priviledges for Attornyes &c in a plea of debt

Att which day the same Sheriff saith that William Hollingworth attached is by a boate appraised as by a schedule to the same writt make appeare the tenor whereof followeth in these words Vizt

Wee whose names are hereunder written being desired by the Sheriff of St Maries County to value and appraise One boate said to be the Proper goods of William Hollingworth and being in the possession of Thomas Peirce Shipp Carpenter and by him the said Thomas Peirce newly trimmed by Order of Mr Dent as Attorny of Hollingworth wch boate being about eighteene foot by the Keele haveing neither rudder mast sayles nor Oares belonging to her was this 28th day of April 1674 by the said Sheriff attached for a debt due from Hollingworth to Mr Robert Carvile in part of satisfaction

of such debt Wee have Viewed the said boate as she is now trim̃ed Liber M M
and due Value and appraise the same at One thousand six hundred pounds of tobacco Out of which must be paid to Thomas Peirce for trimming the same seven hundred pounds of tobacco as wittnesse Our hands this day and yeare abovesaid

Wittnes
Tho: Wynne

Henry **h S** Smith
Thomas **T** Spink.

Now here at this day Came the Said Robert in his proper person but the said William came not but made default and the said Robert prayed that the said boate might be delivered unto him which was accordingly granted he putt in Security to indempnifie the Court here and make restitution of the same or the Value thereof in case the said William Hollingworth or his Attorny doe within One yeare and a day come in and make his or their just & due defence and proceed On in the said Action in Comōn forme and make it appeare the said Robert is Satisfied his just demand or any part thereof according to the true intent and meaning of a certaine Act of assembly in that case made and provided

Thomas Spinke agt Robert Nicholas } It was Com̃anded the Sheriff of St Maries County that he attach any the goods or chattells of Robert Nicholas if they should be found in his Bailiwick to the Value of seventeene hundred forty nine pounds of tobacco and them in his custody to Keepe until the said Robert Nicholas should by himselfe or his Attorny appeare before his Lopps justices here this twelfth day of May to answer unto Thomas Spinke in a plea of trespas upon the case

At which day the same Sheriff returneth that the said Robert Nicholas attached is by seventy bushells of salt Valued at five and twenty pounds of tobacco ꝑ bushell by Thomas Peirce and Henry Smith good and lawfull men of his Bailiwick.

Afterwards to wit the same twelfth day of May came the said Thomas Spinke by Kenelme Cheseldyne his Attorny but the said Robert Came not but made default and the said Thomas prayed that delivery of the same or so much thereof in Value as the said Robert Stand indebted to the said Thomas may to him be granted with costs of Suite.

Whereupon Ordered the same Sheriff that of the said goods and chattells of the said Robert Nicholas so attached as aforesaid he deliver to the said Thomas Spinke aswell to the Value of thirteene hundred and twelve pounds of tobacco as also the full quantity of pounds of tobacco for his costs and charges in this behalfe laid Out and expended. Provided the said Thomas p. 208

Liber M M Spinke give Security to indempnifie the Court here and make restitution of the same or the Value thereof in case the said Robert Nicholas or his Attorny doe within a yeare and a day Come in and make his or their just and due defence and proceed on in the said action in comōn forme and make it appeare the said Thomas Spinck is Satisfied his just demand or any part thereof according to the true intent & meaning of a certaine Act of Assembly in that case made and provided.

Know all men by these p^r^sents that I Henry Hudson of Virginia Gent have remised released and for ever quitclaimed and by these p^r^sents doe for me my executors and administrators and every of Us clearely and absolutely remise release and for ever quitclaime unto Thomas Notley of S^t^ Maries County of the Province of Maryland his executors and assignes all and all manner of actions Suits quarrells debts duties bonds bills writeings reckonings accompts and demand whatsoever w^ch^ against the said Thomas Notley ever I had, may have or which I my executors or administrators or any of Us at any time hereafter shall or may have for or by reason of any matter cause or thing whatsoever from the Beginning of the World untill the day of the date hereof Wittnes my hand and seale the 26th day of April 1669.

Signed Sealed and delivered in Hen: Hudson (Seale)
the presence of
Edme Lister
Luke Gardnor.

On the backside of the abovesaid release was written thus
May 21th 1674.

Came Luke Gardner One of the wittnesses to the within written release and made Oath that he Saw the within named Henry Hudson signe seale and deliver the same as his Act and deed.

Sworne before me
Wiłł Calvert.

Charles Calvert Esq ag^t^ Benjamin Soley } Benjamin Soley late of S^t^ Maries County Gent was summoned to answer unto his Excellency Charles Calvert Cap^t^ Gen^ll^ and cheife Governour of this Province of a plea that he render unto him the summe of fourteene thousand pounds of tobacco which to him he Oweth and unjustly deteineth &c.

And whereupon the said Charles Calvert by Robert Ridgely his Attorny saith that whereas the said Benjamin the 14th day of May in the 42th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1674 at S^t^ Maries City in the said Province did borrow of him the said Charles the said summe of fourteene thousand pounds of tobacco and casque to be paid to the said Charles when thereunto required notwithstanding which the said Benjamin the said sum̄e of fourteene thousand pounds of tobacco to him the said Charles although often thereunto required hath not paid but the same to pay hath refused and denyed and as yet doth refuse and deny to the damage of the said Charles six thousand pounds of tobacco And thereupon he bringeth his suite Liber M M

And the said Benjamin by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and saith that he hath nothing to say in Barr of the said action whereby the said Charles remaineth against the said Benjamin for the said fourteene thousand pounds of tobacco herein undefended therefore it is considered of the Court here that the said Charles recover against him the said Benjamin the said summe of fourteene thousand pounds of tobacco and the said Benjamin in mercy &c but execution is hereby stayed untill the 13th of October next. p. 209

I doe hereby impower you to appeare for me in the Provinciall Court in an action brought against me by the Honble Charles Calvert Esq for fourteene thousand pounds of tobacco and to confesse judgment in my name for the same and for your so doeing this shall be your warrt Wittnes my hand this 14th day of May 1674:

To Robert Carvile One of the Attornyes Ben: Solley.
of the Provinciall Court
Testis Robert Ridgely.

Charles Calvert Esq agt Benjamin Solley

Benjamin Solley late of St Maries County otherwise called Benjamin Solley of the County of St Maries in the Province of Maryland merchant was sum̄oned to answer unto his excellency Charles Calvert Governour of Maryland and cheife justice of the Provinciall Court according to the liberties and priviledges to such like Cheife justices and Other ministers of the said Court allowed of a plea that he render unto him the full and just sum̄e of two hundred pounds Sterling to say of lawfull mony of England which to him he oweth and unjustly deteineth

And whereupon the said Charles Calvert by Robert Ridgely his Attorny saith that whereas the said Benjamin together with One certaine Richard Speed by the name of Richard Speed Master of the Shipp Agreement of Bristoll the 21th day of June in the yeare of our Lord 1673 did by their certaine writeing Obligatory sealed with the seales of them the said Benjamin and Richard and here in Court pduced whose date is the day and yeare abovesaid acknowledge themselves to be holden and firmly bound unto his said Excellency Charles Calvert Governour of Maryland aforesaid in the full and just sum̄e of two hundred pounds Sterling to say of lawfull mony of England to be paid to the said Charles Calvert or to his certaine

Liber M M Attorny his heirs executors administrators or assignes To the which payment well and truly to be made the said Benjamin and Richard did bind themselves and either of them by himselfe their and either of their heirs executors and administrators in the whole and for the whole joyntly and severally firmly by those presents notwithstanding which the said Benjamin and Richard or either of them the said summe of two hundred pounds sterling to him the said Charles Calvert according to the said writeing Obligatory hath not paid though often thereunto required but the same to pay have refused and still doth refuse and deny to the damage of the said Charles One hundred pounds sterling And thereupon he bringeth his suite.

And the aforesaid Benjamin in his proper person cometh and defendeth the force and injury when &c and prayeth heareing of the writeing Obligatory aforesaid and it is read unto him he prayeth also p. 210 the heareing of the Condition of the said writeing and it is read unto him in these words following Vizt The Condition of this Obligation is such That whereas the abovebounden Richard Speed hath this day drawne by exchange On Jeremiah Holwey Senior of Bristoll merchant foure bills of exchange for thirty One pounds foure Shillings two pence sterling all of One tenor and date pay^{ble} at thirty dayes Sight unto the abovenamed Charles Calvert or his Order if therefore the said Jeremiah Holwey Sen shall well and truly pay the said bills of Exchange according to the tenor thereof without fraud or de[ceipt] then this Obligation to be void and of none effect otherwise to Stand remaine and be in full power and force which being read and heard the said Benjamin saith that he hath nothing to say in barr of the said action whereby the said Charles remaineth against the said Benjamin aswell for the said Summe of thirty One pounds foure shillings two pence Sterl̄ the debt aforesaid as also the summe of seven pounds seventeene shillings and foure pence for his damages in this behalfe susteined herein undefended

Therefore it is Considered by the Court here that the said Charles Calvert recover against the said Benjamin the said Summes of mony amounting to thirty nine pounds One shilling and six pence Sterling and the said Benjamin in mercy &c but execution is hereby stayed till the tenth day of October next.

Lord Proprietary
ag^{t} } to tryall next Court.
Luke Barbier

Virlinda Stone
ag^{t} } Continued till next Court
Edmund Lindsey

Henry Phippes
ag^{t} } writt of inquiry of damages in respite untill the first day of the next Court.
Thomas Marsh

Edward Williams
ag^t
Philip Shapleigh

this cause being upon ejectment and continued to this day the pl̄t not appeareing to make further prosecution therein Ordered a non suite be awarded ag^t him and that the def^t recover against him the full quantity of   pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the plaintiff have no benefitt of his writt. Liber M M

Samuel Winslow adm^r Henry Webb
ag^t
John Bowles execut^r W^m Battin
the same
ag^t
the Same
the Same
ag^t
the Same

these three causes Continued till next Court.

Thomas Mountfort
ag^t
Samuel Hatton

this cause being in ejectm^t & continued till this Court Ordered that the plaintiffs Attorny file a new declaration and the cause to come to tryall next Court. p. 211

Thomas Bland
ag^t
Thomas Gant
Philip Shapleigh & Joyce his wife executrix of Daniel Holland
ag^t
John Steward
John Shancke
ag^t
Edward Conery

these three causes Continued till the next Court.

John Balley
ag^t
John Russell

John Russell of Calvert County upon the Clifts planter was attached to answer unto John Balley of S^t Maries County Merchant in an action of trespas upon the case.

And whereupon the said John Balley by Thomas Bland his Attorny complaineth that whereas the said John Balley was the 5th day of July 1669 at Petuxent River in the County of Calvert put in Possession by M^r Christopher Rousby the Sheriff of the said County of a certaine quantity of cattle and horses amongst which was a young horse light Bay which at that time was Somewhat more than One yeare Old and the said Balley being so possessed left the said

Liber M M horse at Mr Ascombs in the month of December 1670 the said horse was conveyed away thence out of the Knowledge of the said John Balley untill that about the month of July 1671 the said horse was found and Knowne to be in the possession of John Russell who was runing races with him at the Clifts in Calvert County aforesaid and had given him the name of Prince Morris and although the said John Russell did Know the horse to be the proper horse of the said John Balley and unto him to belong Neverthelesse the said John Russell deviseing and fraudulently intending the said John Balley did refuse to restore the said horse although he the said John Russell was upon the first day of September 1671 and divers times since thereunto required but did at that time and ever since convert and dispose of the said horse to his Owne proper use whereby the said Balley is dampnified and hath losse to the value of six thousand pounds of tobacco and thereupon he brings his Suite

And the Said John Russell by George Parker his Attorny doth Come and defend the force and injury when &c and saith he is not guilty of the trover and conversion in manner and forme as the pl̃t above in his declaration hath declared and of this he putts himselfe upon the Country and the said John Balley likewise therefore Com̃and is given to the Sheriff of St Maries County that he cause to come here twelve &c by whom &c because aswell &c to recognize &c.

p. 212 At which day to witt the fourtenth day of May in the 42th yeare of the Dominion of Caecilius &c Came as well the said John Balley by Robert Rigdely his Attorny as the said John Russell by George Parker his Attorny and the jurors of that jury likewise came to witt William Claw, George Charlsworth, Joseph Hackney John Smalpeece Richard Whitty Henry Rider, Richard Ridgell, John Rawlins Thomas Baile Abraham Rhodes William Baker and John Cheyney who to Say the truth in the premisses being Summoned impannelled and sworne Upon their Oathes due say they find for the plaintiff two thousand five hundred pounds of tobacco with costs of Suite

Therefore it is Considered by the Court here that the said John Balley recover against the said John Russell the Sum̃e of two thousand five hundred pounds of tobacco and also the Summe of One thousand seven hundred ninety five pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Richard Covell & Thomas Groves
agt
Henry Mitchell

Henry Mitchell late of Calvert County otherwise called Henry Mitchell of Calvert County in the Province of Maryland Gent was Sumōned to answer unto Richard Covell and Thomas Groves of a plea that he render unto them nine thousand One hundred ninty foure pounds of tobacco which to them he Oweth and unjustly deteineth Liber M M

And whereupon the said Richard and Thomas by Robert Carvile their Attorney say that whereas the said Henry Mitchell upon the eightenth day of ffebruary in the yeare of Our Lord One thousand six hundred sixty nine by his certaine bill or writeing Obligatory Sealed with the seale of him the said Henry and here in Court produced whose date is the day and yeare abovesaid did bind himselfe his heirs executors and administrators to pay unto the said Richard Covell and Thomas Groves the summe of 9194 pounds of tobacco and casque upon demand Yet notwithstanding the said Henry the said summe of nine thousand One hundred ninty foure pounds of tobacco to them the said Richard and Thomas though often thereunto requested according to his said writeing Obligatory hath not contented or paid but the same to them to pay doth hitherto altogether deny and refuse whereupon they say they are dampnified and have losse to the value of fifteene thousand pounds of tobacco And thereupon they bring their Suite.

And the aforesaid Henry Mitchell by Vincent Lowe his Attorny Comes and defends the force and injury when &c and as to six thousand two hundred twenty five pounds of tobacco of the said nine thousand One hundred ninty foure pounds of tobacco in the declaration aforesaid above specified the same Henry says that the aforesaid Richard Covell and Thomas Groves as to the aforesaid six thousand two hundred twenty five pounds of tobacco Ought not to have their action against him because he saith that after the makeing of the bill aforesaid the said Henry did pay unto John Manning Attorny or receiver for them the said Richard and Thomas the said summe of six thousand two hundred twenty five pounds of tobacco in part of the said bill of nine thousand One hundred ninty foure p. 213
pounds of tobacco in the aforesaid declaration mentioned and this he is ready to averr whereupon he demands judgment if the aforesaid Richard and Thomas Ought thereupon to haue their action aforesaid against him and as to two thousand nine hundred sixty nine pounds of tobacco of the aforesaid nine thousand One hundred ninty foure pounds of tobacco residue of the same the said Henry Saith that he was and is ready to pay the same.

And the said Richard and Thomas as to six thousand two hundred twenty five pounds of tobacco in the plea of the said Henry mentioned part of the said nine thousand One hundred ninty foure pounds of tobacco say that they by any thing before alleadged ought not to be debarred from haveing their action aforesaid against him for the said six thousand two hundred twenty five pounds of tobacco for that they by protestation say that the said Henry did not pay to the said Richard or Thomas or either of them or to the said John Manning or any other person or persons whatsoever by any

Liber M M Order or authority from the said Richard and Thomas or either of them to receive the same the said sum̃e of six thousand two hundred twenty five pounds of tobacco in part of the said bill of nine thousand One hundred ninty foure pounds of tobacco nor was the said John Manning ever Attorny or receiver of the said Richard and Thomas or either of them as the said Henry hath above alleadged and as to the two thousand nine hundred sixty nine pounds of tobacco they say the said Henry did not tender the same as by the said Henry is above alleadged and this they are ready to averr whereupon they demand judgment and their debt aforesaid together with their damages to be adjudged unto them

And the aforesaid Henry as formerly saith that he paid the aforesaid John Manning as the Attorny or receiver of the said Richard Covell and Thomas Groves the aforesaid summe of six thousand two hundred twenty five pounds of tobacco as part of the said bill of nine thousand One hundred ninty foure pounds of tobacco and as to the two thousand nine hundred sixty nine which was behind of the aforesaid bill of nine thousand One hundred ninty foure pounds of tobacco he ever was and is still ready to pay and of this he putts himself upon the Country and the plaintiffs likewise. therefore it is Com̃anded the Sheriff of S^t Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c

At which day to witt the fiftenth day of May in the 42th yeare of the Dominion of Caecilius &c Came aswell the said Richard Covell and Thomas Groves by Robert Carvile their Attorny and the said Henry Mitchell by Vincent Lowe his Attorny and the jurors of that jury likewise come to witt William Claw George Charlsworth Joseph Hackney John Smalpeece Thomas Baile Richard Whitty Henry Rider Richard Ridgall John Rawlings Abraham Rhodes William p. 214 Baker and John Cheyney who to say the truth in the premisses being impannelled Sumoned and sworne Upon their Oathes doe say they find for the def^t no cause of Action But because his Lop̄ps justices will advise before they give judgment heareing this cause putt in respite untill the morrow and the Same day is given to both parties

Att which day to witt the sixtenth day of May in the yeare aforesaid Came aswell the said Richard Covell and Thomas Groves by Robert Carvile their Attorny and the said Henry Mitchell in his proper person likewise came and the said Richard and Thomas prayed inspection of the receipt of John Maning for the said Summe of Six thousand two hundred twenty five pounds of tobacco which was by the said Henry produced whose date was the twentith day of April One thousand six hundred and seventy and the Court inquireing of Banjamin Cloyster and Timothy Murimura wittnesses thereunto when the said receipt was made who upon their Oathes doe declare that the receipt was made On tuesday last being the twelfth day of this instant month of May by which it appeares to the Court here that the said receipt of John Manning for the said sum̃e was forged Liber M M

Whereupon Ordered by the Court here that the said Richard Covell and Thomas Groves recover against the said Henry Mitchell as[well] the summe of nine thousand One hundred ninty foure pounds of tobacco their debt aforesaid as also the Summe of foure hundred eighty three pounds of tobacco for their costs and charges in this behalfe laid Out and expended. And the Said Henry in mercy.

Therefore it is Com̃anded the Sheriff of Calvert County that he take the said Henry if he shall be found in his Bailiwick and him safe Keepe so that he have his body here the thirtenth day of October next to Satisfie the said Richard and Thomas the said Sum̃e of nine thousand pounds One hundred ninty foure pounds of tobacco their debt aforesaid whereof he is convict as also the summe of foure hundred eighty three pounds of tobacco for their costs and charges in this behalfe laid Out.

Elizabeth Young Executrix of
Nicholas Young
ag^{t}
William Smith
this cause continued till next Court by consent of the Attornyes of both sides.

William Worgan
ag^{t}
Anthony Dawson
this cause continued till next Court.

W^{m} Russell & Tho: Chandler
ag^{t}
John Wells
this cause continued till next Court and then to come to tryall.

Demetrius Cartwright
ag^{t}
John Watkins
Continued till next Court.

Mary Thomas adm^{rx} Jn^{o} Thomas
ag^{t}
Jn^{o} Allen adm^{r} Nich: Solby
Continued till next Court.

Timothy Lindall
ag^{t}
Philip Shapleigh
Ordered that the def^{t} accomp^{t} with the pl̄ and that Garret Vansweringen and Robert Ridgely doe audite the accompts and make report thereof to the Court here at the next Provinciall Court. p. 215

Charles Delaroch
ag^{t}
Jn^{o} Allen adm^{r} W^{m} Jackson

the Same
ag^{t}
the Same

Anne Neale
ag^{t}
John Allen

these three causes continued untill next Court.

Liber M M Michael Catterton
ag^{t}
Timothy Goodridge adm^{r} of
George Richardson

And the said Timothy by Robert Carvile his Attorny Saith the said Michael execution against him Ought not to have for the said nine hundred pounds of tobacco costs because by protestation he saith that he hath fully administred all the goods and chattells which were of the said George Richardsons at the time of his death and that he hath no goods or chattells which were of the said George at the time of his death in his hands to be administred nor had at the day of the issueing of the said scire Facias nor ever since for plea he saith that he being an administrator Ought not by the Law of the Land to pay any Costs and this he is ready to averre and demands judgment whether the said Michael Ought to have execution against him for the said nine hundred pounds of tobacco costs.

Now here at this day to witt the Sixtenth day of May in the two and fortith yeare of the Dominion of Caecilius &c Came the said Timothy by Robert Carvile his Attorny but the said Michael came not but made default therefore it is considered by the Court here that this cause be dismist and that the said Michael pay to the said Timothy the full quantity of two hundred and ninty pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Michael in mercy.

Henry Aspinall
ag^{t}
Stephen Murty
John Dunstone
ag^{t}
John Allen adm^{r} of Nich: Solby
Hugh Macgaro
ag^{t}
Robert Doyne

these three causes Continued till next Court

p. 216 George Robbins
ag^{t}
Ralph Blackhall

the def^{t} not appearing by himself or his Attorney to answer the suite of the plaintiff and the Sheriff of Talbott County haveing returned a Cepi last April Court Ordered the Sheriff be amerced 40^{s}.

Vincent Elliott
ag^{t}
Jeremiah Eaton
John Nevill
ag^{t}
John Desjardin

these three causes Continued till next Court.

Liber M M

Randall Revell
agt
George Johnson

Daniel Jenifer
agt
James Thompson admr
Wm Greene

James Thompson late of Calvert County administrator of the goods and chattells of William Greene otherwise called William Greene of the County of Calvert Taylor who dyed intestate was Summoned to answer unto Daniel Jenifer gent of a plea that he render unto him the summe of foure pounds and tenn Shillings Sterling mony of England which from him he unjustly deteines &c

And whereupon the said Daniel by Robert Carvile his Attorny saith that whereas the said William Greene in his life time to witt upon the fifth day of December in the yeare of Our Lord One thousand six hundred and seventy by his certaine bill or writeing Obligatory sealed with the seale of him the said William and here in Court produced whose date is the day and yeare aforesaid did confesse and acknowledge himselfe to Owe and Stand indebted to the said Daniel Jenifer the full and just summe or quantity of foure pounds ten shillings Sterling mony of England to be paid to the said Daniel upon demand to the which payment well and truly to be made he the said William did bind himselfe his heirs executors and administrators by the same bill Yet the aforesaid William in his life time and the aforesaid James after the death of the said William to whom the administration of all and singular the goods and chattells which were the aforesaid Williams at the time of the death of the aforesaid William by the Cheife judge for probate of Wills and granting of administrations after the death of the said William was Committed although often thereunto required the said sum̃e of foure pounds ten shillings Sterling have not rendred to him the said Daniel but the sume to him to render have denyed and the said James to him the said Daniel as yet to render doth deny and unjustly deteine whereupon he Saith he is dampnified and hath losse to the value of seven pounds Sterling And thereupon he bringeth his suite

Afterwards to witt the 14th day of April in the 42th yeare of the Dominion of Caecilius &c came the said James Thompson by John Rousby his Attorny and prayed liberty to imparle hereunto untill the first day of this Court and the same day was given to both parties.

Att which day to witt the 12th day of May in the yeare aforesaid came the said Daniel Jenifer by Robert Carvile his Attorny and the said James Thompson by John Rousby his Attorny likewise came and the said James prayed liberty of Speakeing hereunto untill two p. 217

Liber M M dayes next after the Court and it is granted him and by this Court Ordered that unlesse the said James Thompson shall putt in his plea to the declaration aforesaid of the said Daniel Jenifer as he will stand to within two dayes next after the Court judgment shall be awarded against him for the debt aforesaid

Att which two dayes as aforesaid the said James Thompson did not putt in his plea to the declaration of the said Daniel aforesaid but made default therefore it is considered by the Court here that the said Daniel recover against the said James of the estate of the said William Greene the said summe of foure pounds ten shillings Sterling his debt aforesaid and the said James in mercy &c Costs allowed Two hundred seventy five pounds of tobacco

John Nethway
ag^{t}
James Lee

the deft not appeareing by himselfe or Attorny to answer the Suite of the pl̃t and the Sheriff of Charles County haveing returned a Cepi last April Court Ordered the Sheriff be amerced 40^{s}.

William Worgan
ag^{t}
Henry Turner

Henry Turner late of Dorcester County was attached to answer unto William Worgan in a plea of trespas upon the case

And whereupon the said William by Kenelm Cheseldyn his Attorny complaineth that whereas the said Henry the last day of October in the yeare of Our Lord One thousand six hundred seventy two in consideracōn that he the said William at the Speciall instance and request of him the said Henry would receive him the said Henry into the house of him the said William as a boarder from One month next following and so from One month to another month following so long as it should please both parties and to find him the said Henry Sufficient meate drinke washing and lodging dureing the time aforesaid the said Henry did assume upon himselfe and to the said William did faithfully promise that he the said Henry would pay to him the said William for the same what it should deserve And the said William in fact saith that he the said William trusting to the faithfull promise of him the said Henry did receive him the said Henry into his house as a boarder from the said last day of October in the yeare aforesaid untill the last day of April in the yeare One thousand six hundred seventy three in the whole amounting to the space and time of six months and did find him the said Henry Sufficient meate drinke washing and lodging and the said William in fact saith that he the said William being a licensed Ordinary Keeper according to the Lawes of this Province is by the Lawes of the Said Province allowed ten pounds of tobacco ꝑ meale and five pounds of tobacco ꝑ night for lodging and therefore further saith that he the said William doth well deserve for the said six months accomodation of the said Henry One thousand

Liber M M

five hundred pounds of tobacco notwithstanding which the said Henry the said sum̃e of One thousand five hundred pounds of tobacco hath not paid according to his promise though often thereunto required but the same to pay hath hitherto denyed and still doth altogether deny to the damage of the said William two thousand five hundred pounds of tobacco and thereupon he brings his suite.

Afterwards to witt the 14th day of April in the 42th yeare of the Dominion of Caecilius &c came the said Henry Turner by Vincent Lowe his Attorny and prayed liberty to imparle hereunto untill the first day of this Court and the same day was given to both parties p. 218

Att which day to witt the 12th of May in the yeare aforesaid came the said William Worgan by Kenelm Cheseldyn his Attorny and the said Henry by Vincent Lowe his Attorny likewise came and the said Henry prayed liberty of Speaking hereunto untill two dayes next after this Court and it is granted unto him and by this Court Ordered that unlesse the said Henry Turner shall putt in his plea to the declaration aforesaid of him the said William as he will stand to within two dayes next after this Court judgment shall be awarded against him for the debt aforesaid with costs of Suite.

Att which two dayes as aforesaid the said Henry Turner did not putt in his plea to the declaration aforesaid of him the said William but made default therefore it is considered by the Court here that the said William Worgan recover against the said Henry Turner as well the said quantity of One thousand five hundred pounds of tobacco the debt aforesaid as also the quantity of three hundred and forty pounds of tobacco for his costs and charges in this behalfe laid Out & expended.

John Quigley
agt
James Berry

John Quigley
agt
William Bery

Thomas Abbott
agt
Henry Turner

Daniel Jenifer
agt
Jonathan Squire admr
Jno Morecroft.

these foure causes continued till next Court

William Gittings
agt
John Gittings

John Gittings late of Calvert County otherwise called John Gittings of Calvert County Gent was Summoned to answer unto William Gittings in a plea that he render unto him the summe of sixteen thousand pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the said William by Kenedy Cheseldyn his Attorny saith that whereas the said John the One and twentith day of march in the yeare of our Lord 1671 did by his certaine writeing Obligatory sealed with the seale of the said John here in Court produced whose date is the day and yeare abovewritten acknowledge himselfe to Owe and stand indebted unto the said William Gittings of London Gent in the full and just Summe or quantity of Sixteene thousand pounds of good Sound merchantable tobacco in caske to be paid to him or to his certaine Attorny to the which payment well and truly to be made the said John did bind himselfe his heirs executors and administrators firmly by these presents Notwithstanding p. 219 which the said John Gittings though often thereunto required the said summe of sixteen pounds of tobacco to him the said William hath not paid but the same to pay hitherto hath denyed and Still doth altogether deny whereupon the said William Saith he is worse and damage hath to the value of five and twenty thousand pounds of tobacco and thereupon he bringeth his suite.

And the said John Gittings by George Parker his Attorny doth come and defend the force and injury when &c and prayeth heareing of the said writeing and it is read unto him he prayeth also heareing of the Condition of the said writeing and it is read unto him in these words The Condition of the abovementioned Obligation is such that if the abovebounden John Gittings doe well and truly pay or cause to be paid unto the abovenamed William Gittings the full and just summe or quantity of eight thousand pounds of good merchantable tobacco in caske at two payments Vizt foure thousand pounds thereof at or upon the last of December next ensueing in some convenient place in Petuxent River and the other foure thousand the last of December next (ṇẹx̣ṭ) following which will be in the yeare 1673 without fraud or covin then this Obligation to be void and of none effect or else to stand and remaine in full force and virtue. which being read and heard the said John Saith that as to five thousand pounds of tobacco the remainder of the said summe of eight thousand pounds of tobacco in the declaration of the said William aforesaid mentioned he hath nothing to say in barr Whereby the said William remaineth against the said John for the said summe of five thousand pounds of tobacco herein undefended.

Therefore it is Considered by the Court here that the said W^{m} recover against the said John the said Summe of five thousand pounds of tobacco and also three hundred and forty pounds of tobacco for his cost and charges in this behalfe laid Out and expended but execution is hereby Stayed untill the last day of October next.

To M^r George Parker One of the Attornyes of his Lop̄ps Provinciall Court. Liber M M

I pray appeare for me at the suite of M^r William Gittings and receive a declaration upon an Obligation of Sixteene thousand pounds of tobacco and confesse judgment for five thousand pounds of tobacco which is the remainder of the said condition with stay of execution untill the last day of December and for your so doeing this shall be your sufficient warrant Given under my hand the sixtenth day of April Annoꝗ Dom̄ 1674.

Sealed and delivered in John Gittings (Sealed.)
the presence of
W^m King
John Henworth
Thomas How

John Browne
ag^t
William King
this cause continued untill next Court.

John Warr
ag^t
Henry Exon

Henry Exon late of S^t Maries County otherwise called Henry Exon of S^t Maries County in the Province of Maryland was summoned to answer unto John Warr in a plea that he render unto him the summe of two thousand five hundred and eighty pounds of tobacco which to him he oweth and unjustly deteineth p. 220

And whereupon the said John Warr by Kenelm Cheseldyn his Attorny saith that whereas the said Henry the seventh day of June in the yeare 1673 did by his certaine writeing Obligatory sealed with the seale of the said Henry here in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs executors and administrators to pay or cause to be paid unto the said John Warr merchant or his assignes the just quantity of two thousand five hundred and eighty pounds of tobacco sound and merchantable with caske to containe the same in to be paid the same in ditto County at or upon the 10th of October next ensueing the date thereof notwithstanding which the said Henry the said summe of two thousand five hundred and eighty pounds of tobacco according to the tenor of the said bill hath not paid though often thereunto required but the same hath and still doth deny to the damage of the said John Warr foure thousand pounds of tobacco And thereupon he bringeth his suite

Afterwards to witt the 16th day of April in the 42th yeare of the Dominion of Caecilius &c came the said Henry by Robert Carvile his Attorny and defendeth the force and injury when &c and prayed liberty of speaking hereunto untill this day to witt the twelfth day

Liber M M of May in the yeare aforesaid and it was granted unto him and the same day given to both parties.

Att which Said 12th day of May came the said John Warr by Kenelm Cheseldyn his Attorny and the said Henry Exon by Robert Carvile his Attorny likewise came and the said Henry saith that he hath nothing to say in barr of the said action whereby the said John Warr remaineth against the said Henry for the said summe of two thousand five hundred and eighty pounds of tobacco in the declaration aforesaid of the said John mentioned undefended

Therefore it is considered by the Court here that the said John recover against the said Henry the said summe of two thousand five hundred and eighty pounds of tobacco together with three hundred and forty pounds of tobacco for his costs and charges in this behalfe laid Out and expended but execution is hereby stayed untill the tenth day of October next.

Nathaniel Garrett
agt
Wm Claw & John Smalpeece
executr of John Rennolds.

Upon the Petition of the defts that they are to pay Severall debts and legacyes by the said John Renolds in his will bequeathed and given within the space of five yeare after the sale of a plantation named ffresh pond neck which said Plantation the said Renolds hath not positively impowered them to dispose and make Sale of whereupon Ordered by the Court here that Mr Attorny Generall consider whether the said Plantation is not escheat to his Lordship the Lord Proprietary and that this cause continue untill next Court.

Jonathan Squire admr of
Jno Morecroft
agt
p. 221 Hugh Oneale

Hugh Oneale late of Charles County Gent was attached to answer unto Jonathan Squire administrator of the goods and Chattells of John Morecroft deceased in a plea of trespas upon the case

And whereupon the said Jonathan by Kelem Cheseldyn his Attorny complaineth that whereas the said Hugh Oneale the 24th day of December in the yeare 1672 at St Maries Citty in the Province aforesaid did retaine the said John to prosecute a certaine suite in the Provinciall Court upon an action of Slander and defamation against One Gerard ffitz Gerard In consideration whereof the said Hugh Oneale did assume upon himself and to the said John did faithfully promise that he the said Hugh would well and truly satisffie & pay unto the said John the Summe of twelve hundred pounds of tobacco when thereunto required for his labour travell skill Councell and advice in about & concerning the prosecution of the said suite and the said Jonathan in fact saith that the said John Morecroft did Sue forth of the Provinciall Court a certaine

Capias to the Sheriff of Charles County directed and returnable Liber M M before the justices of the Provinciall Court the 11th day of ffebruary next following against him the said Gerard ffitz Gerard at the suite of the said Hugh Oneale in the action aforesaid Notwithstanding which the said Hugh Oneale his promise and assumption So as aforesaid made little regarding but deviseing and fraudulently intending him the said John of the said summe of twelve hundred pounds of tobacco Subtilly to deceive the said twelve hundred pounds of tobacco to him the said John in his life time according to his promise and assumption though often thereunto required hath not paid nor to the said Jonathan since his death to whom administration of all and singular the goods and chattells which were the said John at the time of his death Since his death hath bin committed hath not paid but the same to pay hath and still doth deny to the damage of the said Jonathan two thousand pounds of tobacco And thereupon he brings his suite

And the said Jonathan bringeth also here in Court the letters of admcōn to him granted of all and Singular the goods and chattells which were the said John at the time of his death Since his death to him committed that it may appeare to the Court here that he is administrator of the said John and thereupon to have administration

Afterwards to witt the 14th day of April in the 42th yeare of his Lopp̄s Dominion &c came the said Hugh Oneale by Samuel Cressey his Attorny and prayed liberty of Speaking hereunto untill this Court and it was granted unto him the same day given to both parties.

Now here at this Court to witt the sixtenth day of May in the yeare aforesaid Came the said Jonathan by Kenelm Cheseldyn his Attorny but the Said Hugh Oneale came not but made default therefore it is considered by the Court here that the Said Jonathan recover against the Said Hugh Oneale the Summe of twelve hundred pounds of tobacco together with three hundred and forty pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Thomas Gibson
agt
Arthur Turner

the pl̄ files a new declaration and makes James Neale and his wife defts therein Ordered that a Speciall warrt issue to resurvey the Land in question and this cause to continue untill next Court.

The Sheriffs of Baltemore and Dorcester County for not returning their writts are amerced 5 £ Sterl̄ apeice.

Daniel Gouldson & William Hallett
agt
Demetrius Cartwright

this cause being upon an appeale p. 222 from Calvert County Court and day given to both parties untill

Liber M M

this Court at which day to witt the 16th day of May in the 42th yeare of the Dominion of Caecilius &c came the said Daniel and William by Thomas Bland their Attorny and the Said Demetrius by Kenelm Cheseldyn his Attorny came likewise But the Said Daniel and William not haveing filed a new Declaration against the deft here as by an Order of this Court they Ought to have done it is considered by the Court that a non suite be awarded against them and that they pay unto the Said Demetrius the Summe of pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

John Manning
agt
George Lordman
the Same
agt
the Same
the deft in these two actions appeare by Robert Carvile his Attorny did imp̄le untill next Court

Edward Armstrong
agt
John Anderson
the Sheriff of Somersett County haveing returned a Cepic & the deft not appeareing it is Ordered that unlesse the deft appeare here at the next Court by himselfe or Attorny the Said Sheriff shall be amerced.

Walter Carr
agt
John Russell
the deft by Thomas Bland his Attorny appeares and imples untill next Court.

Humphry Warren
agt
John Gerard & Rose Gerard Executrs of Thomas Gerard Esqꝫ
It was Cōmanded the Sheriff of St Maries County as formerly it was cōmanded him that he take John Gerard and Rose Gerard Executors of Thomas Gerard Esqꝫ deceased if &c and them Safe Keepe so that he have their bodies here at this day to witt the twelfth day of May in the 42th yeare &c to answere unto Humphry Warren of a plea that they render unto him the Summe of foure thousand forty foure pounds of tobacco which from him they unjustly detaine

And whereupon the Said Humphry by Robert Carvile his Attorny Saith that whereas the Said Thomas Gerard in his life time that is to Say upon the 12th day of April in the yeare of Our Lord 1670 by his certaine bill or writeing Obligatory Sealed with the Seale of him the Said Thomas and here in Court produced whose date is the day and yeare abovesaid did confesse himselfe to Owe and Stand

indebted into the Said Humphry the sum̃e of 4044l of good Sound Liber M M
well conditioned tobacco in caske to be paid upon all demands and
upon his the said Thomas Gerards Owne proper plantation either
at Mathiotack in Virginia or Mattapeny in Maryland cleare of all
Charge and impost and to the Said payment well and truly to be p. 223
made the said Thomas did bind himself his heirs executors and
assignes Yet notwithstanding the aforesaid Thomas in his life time and the said John and Rose after the death of the Said Thomas although often thereunto required the aforesaid Summe of 4044l of tobacco have not rendred to him the Said Humphrey but the Same to render to him have denyed and the aforesaid John & Rose the Same to him to render doe as yet deny and unjustly deteine whereupon he Saith he is dampnified and hath losse to the value of seven thousand pounds of tobacco and thereupon he bringeth his Suite

Now here at this day to witt the Said 12th day of May in the yeare aforesaid the Same Sheriff maketh returne as formerly that the Said John and Rose are not found in his Bailiwick whereupon the Said Humphry prayeth an attachment against the goods and chattells of the Said Thomas Gerard deceased according to act of Assembly in that case made and provided and it is granted unto him by the Court here.

Pope Alvey agt John Sanders	the deft by Kenelm Cheseldyn his Attorny appeares and imparles untill next Court.
Daniel Jenifer agt Jno Cheyney et ux admrs Henry Hough	the deft appeare by George Parker their Attorny and imparle untill next Court
Daniel Jenifer agt John Pott	the deft by Thomas Bland his Attorny appeares and imparles untill next Court.
Benjamin Rozer agt Thomas Witter	the deft appeares by Robert Carvile his Attorny and imparles untill next Court

ffrancis Gunby agt George Haynes	It was Com̃anded the Sheriff of St Maries County as formerly it was comanded him that he take George Haynes if &c and him Safe Keepe So that he have his body here to witt the twelfth day of May in the 42th yeare &c to answer unto ffrancis Gunby in a plea that he render unto him fifteen hundred pounds of tobacco which he oweth and unjustly deteineth

And whereupon the said ffrancis Gunby by George Thompson his Attorny Sayes that whereas the aforesaid George Haynes the tenth

Liber M M day of December Anno Dom̄ 1672 did Signe Seale and deliver to the Said Gunby a certaine bill by which he the said Haymes did Owne and acknowledge himselfe to Owe and Stand indebted to the said Gunby the summe of fifteene hundred pounds of tobacco and caske as aforesaid to be paid to him the aforesaid Gunby his heirs & assignes at or upon the tenth day of October next ensueing the date of the Said bill and that the Said payment might well and faithfully p. 224 be made the aforesaid Haynes did Oblige himselfe his heirs and assignes to the payment thereof by the Said bill Notwithstanding the aforesaid Haymes although often demanded the Said fifteene hundred pounds of tobacco and caske to the Said Gunby he hath not as yet rendred but the same to him hitherto hath denyed to pay and as yet denyeth whereupon he Saith that he is dampnified and hath damage to the value of three thousand pounds of tobacco and thereupon he brings his action.

Now here at this day to witt the 12th day of May in the yeare aforesaid the Same Sheriff returnes as formerly that the said George Haynes is not found in his Bailiwick whereupon the Said ffrancis prayd an attachment against the goods and chattells of the Said George Haynes according to act of Assembly in that case made and provided might be granted him and it is by the Court here granted him accordingly.

James Nutthall agt Marke Cordea	this cause by consent of the Attornyes on both Sides continued untill next Court.
Walter Rowles agt Owen Howell	the deft by Kenelm Cheseldyn his Attorny appeares & imples untill next Court
Charles Calvert agt Thomas Taillor	the deft by Robert Carvile his Attorny appeares & imparles untill next Court
Thomas Taylor agt George Parker	the deft by Robert Carvile his Attorny appeares & imparles untill next Court
Benjamin Solly agt Richard Speed	Com̄and was given to the Sheriff of St Maries County that he take Richard Speed late of his County otherwise called Richard Speed of the Citty of Bristoll marriner if &c and him Safe Keepe So that he have his body here to witt the twelfth day of May in the 42th yeare &c to answer unto Benjamin Solly in a plea that he render unto him the full and just Summe of two hundred pounds Sterling which from him he unjustly deteines.

And whereupon the said Benjamin by Robert Carvile his Attorny Liber M M Saith that whereas the Said Richard the One and twentith day of June in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said Richard and have in Court produced whose date is the day and yeare abovesaid did acknowledge to be holden and firmly bounden unto the said Benjamin the full and just Summe of two hundred pounds Sterling to be paid to the said Benjamin or to his certaine Attorny his executors administ^rs^ or assignes for the which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those presents Neverthelesse the said Richard the said Summe of two hundred pounds Sterling to him the said Benjamin according to the tenor of the Said writeing Obligatory to him the said Benjamin Solley hath not paid though p. 225 often thereunto required but the sume to him to pay hath denyed and as yet doth deny whereupon he Saith he is damnified and hath losse to the value of One hundred pounds Sterling and thereupon he bringeth his suite.

And the Said Richard by his Attorny cometh & defendeth the force and injury when &c and prayeth heareing of the writeing Obligatory and it is read unto him he prayeth also heareing of the Condition of the said writeing and it is read unto him in these words The Condition of this Obligation is Such That whereas the Said Benjamin Solley hath entred into a certaine bond or Obligacōn together with the Said Richard Speed for the payment of thirty One pounds five shillings and two pence Sterling unto Charles Calvert or his Order Now if the abovebound Richard Speed his heirs executor[s] or assignes shall well and truly Save harmlesse and Keepe indempnified the Said Benjamin Solley his heirs execut^rs^ administrators & assignes and also all their goods chattells lands and tenements for or by reason of the Said bond which beareth even date with these p^r^sents that then this present Obligation shall be void and of none effect otherwise to stand remaine and be in full power and force.

Now here at this day to witt the 12th day of May in the 42th yeare of the Dominion of Caecilius &c the Same Sheriff returnes that the Said Richard Speed is not found in his Bailiwick whereupon the Said Benjamin prayeth attachment against the goods and Chattells of the Said Richard according to an Act of Assembly in Such case made and provided and it is granted unto him by the Court here.

Upon the Petition of Henry Everitt That whereas he being a Servant to M^r^ George Beckwith and hath Served him eight yeares and as much as Since last ffebruary and is One and twenty yeares of age and Omitting Six weekes of his time for which neglect his Said master demands two yeares Service and that he was adjudged

Liber M M by the Court to be thirteene yeares of age and prayes the judgment of this Court how long he Shall Serve for the Neglect and when to goe free

Ordered by the Court here that the Petitioner serve accordin[g] to the Act in force when he arrived into this Province.

The Court adjourned untill the 13th of October next.

To all Christian People to whom these presents shall Come I Thomas Dent of St Maries County in the Province of Maryland Gent Send Greeting in Our Lord God everlasting Know yee that I the Said Thomas Dent for the Love and affection that I the Said Thomas Dent doe Owe unto Richard Loyd of St Maries County in the Province of Maryland Gent I the Said Thomas Dent have given granted and confirmed and by this present writeing doe give grant and confirme unto the Said Richard Loyd all and Singular those goods chattells leases personall estate whatsoever utensills houshold stuff implements and things whatsoever of what Kind nature property Soever the same be or can be found which the said Richard Loyd by deed of Gift made the first day of September Anno Dom̃
p. 226 One thousand Six hundred Seventy One did give and confirme unto me the Said Thomas Dent To have hold levy use and dispose off take and enjoy all the Said goods Chattells leases personall estate houshold stuff and implements whatsoever and all other the premisses aforesaid unto the said Richard Loyd his executors administrators and assignes for ever from henceforth without any manner of claime challenge or demand whatsoever of or by any person or persons whatsoever And I the Said Thomas Dent all and Singular the goods chattells leases implements and things whatsoever and all other the premisses unto the Said Richard Loyd his executors administrators and assignes against all people shall and will warrant and defend by these presents for ever of all which goods and chattells I the said Thomas Dent have putt the Said Richard Loyd in full and peaceable possession by the gift & delivery of One Silver Seale the day of the date of these presents in the name of possession and Seizin of all and Singular the said premisses In wittnesse whereof I the Said Thomas Dent have hereunto sett my hand and Seale this Sixth day of September Annoqȝ Dom̃ One thousand Six hundred Seventy One and in the thirtieth yeare of the Dominion of Caecilius &c

Testes Kenelm Cheseldyn Tho: Dent (Seale)
the marke of
Randall RH Hanson

The aforegoing Deed at the request of the Said Thomas Dent was recorded.

Know all men by these prsents That I William Barrett of London Merchant Have made, Ordeined, Authorized, And by these prsents Doe make Ordeine Authorize & in my place & Stead by these prsents

Liber M M

put & constitute John Blaxton & Samuell Dobson of Wiccacomaco in the Province of Maryland Planters my true and Lawfull Attorneys & Attorney joyntly & Severally for me & in my name & to my vse To demand Recover & Receiue by all lawfull wayes and meanes whatsoever of & from all & Euery person & persons whatsoeuer, whom it Doth or shall, concerne in the Province of Maryland all & Euery Sum and Sums of money Debts Efforts goods dues & demands whatsoeuer to me due payable & belonging by or from all or any Ꝑson or Ꝑsons in the Province of Maryland aforesaid by or vpon Bond Bill Specialty Contract Booke or otherwise howsoeuer, And also to Bargaine, Sell & contract wth any Ꝑson & Ꝑsons for the Sale or purchase of my Plantacōn wth the Appurtenances Knowne by the name of Hattons point Scituate nere Wiccacomacco River Att & for such Rates & Prices as my Said Attorneys or Attorney joyntly or Seuerally can get for the same And in due manner to make Seale and as my Act & deed to deliuer any deeds contracts & writeings of & touching the same, And of or vpon Receipt of the p^{r}misses or any part thereof Acquittances or other Sufficient Discharges in my name to make Seale & Deliuer And if need be for the p^{r}misses or any Part thereof to appeare & the Person of me the constituant to represent in all Courts and before all Judges Magistrats & Ministers of the Law And to Sue arrest attach Seize Sequester imprison and Condemne and out of prison againe when Need p. 227 Shall be to Deliuer And to compound and agree And one Attorney or more to make Substitute and at Pleasure to Revoake & Generally to doe, Say finish Execute conclude & determine all & Euery such further Lawfull & reasonable Act & Acts thing & things whatsoeuer w^{ch} in or about the p^{r}misses or any Part thereof Shall be requisite or Expedient to be done as fully & Effectually as I might or could doe personally, And I the said Will^{m} Barrett doe hereby for me my Exec^{rs} & Administrat^{rs} Couenant & Grant to & wth the said John Blaxton and Samuell Dobson their Exec^{rs} and Assignes that I my Exec^{rs} and Administrat^{rs} shall & will ratifie & confirme for good & Effectual All & whatsoeuer my Said Attorneys or Attorney joyntly or Severally Shall lawfully doe or cause to be done in & about the p^{r}misses by vertue of these p^{r}sents, And I the said William Barrett doe hereby revoake Disanull & make Voyd all former & other Letters of Attorney & power by me made & given to any Ꝑson or Ꝑsons in the Province of Maryland touching or concerning the p^{r}misses In Wittnesse whereof I haue hereto put my hand & Seale dated y^{e} thirtieth day of December Anno Dom̃ 1673, Annoꝗ XXX Carol̃ 2^{d} Angl̃ xr 25°

Sealed & deliuered William Barrett. (Sealed)
In the p^{r}sence of
John Abington
Thomas Elwes
Wm Bower Ser

Recorded at the request of the Said John Blackiston.

Liber M M

The 10th July 1674

Came Constant Okieffe of St Marys County and desired the Eare Marke of his Cattle and Hoggs might be Entred vpon Record wch is as ffolloweth (vizt) Cropt Slitt and vnder Celd on both Eares

May the 19th 1674.

Came John Powell of St Maries County and desired his Eare Marke of his Cattle & Hoggs might be Entred vpon Record wch is as ffolloweth (vizt) Cropt in both Eare & a hole in the Left.

Whereas John Charlsworth of St Maries County hath recouered agt Mathias Decosta 2500lbs Debt & 1892lbs Tob: costs for which Judgemt is Entred These are to Certifie all whom these may concerne that the Said Mathias wth Garret Vanswerengen haue according to Act of Assembly in that case made & Provided confessed Judgemt for the Sd debt & costs wth a Stay of Execution till the tenth of October next Wittnes my hand this Eight Day of May 1674 Philip Calvert.

This Indenture mad the thirtith Day of May in the two and fortieth Yeare of the Dominion of the Right Honble **Caecilius** Absolute Lord & Proprietary of the Provinces of Maryland & Avalon p. 228 Ld Baron of Baltimore &c And in the yeare of our Lord God One thousand Six hundred Seaventy foure. **Betweene** John Anderson of the County of Somerset in the Province of Maryland Planter and Ellinor his wife of the One Ꝑty And Joseph Edloe of the County of Calvert in the Provce of Maryland Planter of the other Ꝑty **Wittnesseth** That they the Said John Anderson and Ellinor his Wife ffor & in Consideration of the Sum̃e of Three thousands pounds of Tobacco to them in hand paid by the Said Joseph Edloe the Receipt Whereof they Doe hereby acknowledge there of & of Euery Part & Parcell thereof clearly & absolutely acquitt & discharge the said Joseph Edloe his heires Execrs Admrs or Assignes by these prsents haue given, Granted Bargained & Sold Enfeoffed & Confirmed and by these prsents Doe give Grant Bargaine Sell Alien Enfeoffe & Confirme vnto him the said Joseph Edloe his heires or assignes all that Ꝑcell or Devident of Land called Timber Neck Lyeing On the North Side of Petuxent River On the East Side of Chesipiak Bay Lyeing on a Creeke Called St Johns Creeke **Beeginning** for breadth at a marked Oake Standing by the Creeke side & running from the Said Oake East Twenty & five Ꝑches to the Easterne branch of the Said Creeke bounded On the North wth a line Drawne from the mouth of the Said Eastern branch of the Said Creek North for length into the Woods Three hundred & twenty Ꝑches bounded On the West wth a line drawne from the End of the former line West

Twenty & five Ꝑches bounded On the South w^{t}h a line drawne South from the End of the former line Three hundred & twenty Ꝑches bounded On the West till it intercept a paralell from the first bounded tree Bounded On the East with the said Creeke Conteining by Estimacōn fifty Acres more or lesse. With all & Singuler the Rights Profitts & Comodityes to the Said trackt or Divident of Land belonging or in any wise apperteining Together wth all Houses Edifices, Buildings, ffences, Orchards, Gardens, Woods, vnderwoods, Pastors Comon of Pastors & other Hereditam^{ts} which to the Said Ꝑcell of Land or any Ꝑt thereof Shall belong or Apperteine And also all & Euery the Patents Grants Deeds Evidences of Land Concerning the Said Land or any Ꝑt thereof **To haue & to hould** the Said Parcell of Land aboue by these p^{r}sents & Bargained & Sould with all and Singuler the Appurtenances to the Same belonging to him the Said Joseph Edloe his Heires & Assignes for Euer. To the only proper vse & behoofe of him the said Joseph Edloe his heires and Assignes for Euer to be holden of the Right Hono^{ble} the Lord Proprietary by the Rents & Services and vnder the Condicōns thereof Due and Reserved And the Said John Anderson and Elinor his Wife for themselues their heires Exec^{rs} & Adm^{rs} and Euery of them Doe Covenant Promise & Grant to & wth the Said Joseph Edloe his heires & assignes and Euery of them by these p^{r}sents, That they the Said John and Eliner their heires Exec^{rs} & Adm^{rs} and Euery of them the Said Tract of Land and Euery Part & Ꝑcell thereof by these p^{r}sents bargained & Sold or hereby intended to be bargained & Sold wth the Appurtenances to him the Said Joseph Edloe his heires and Assignes against them the Said John & Elinor Shall & will for Euer hereafter Warrant & Defend by these p^{r}sents. And further that they the Said John & Ellinor shall & will from time to time and at all Tymes hereafter at the Reasonable Request of the Said Joseph Edloe his heires or Assignes Or any of them Make Doe Acknowledge Execute & Suffer Or cause to be made Done Executed Acknowledged and Suffered all & Euery Such further or other Act or Acts thing & things Device and Devices Whatsoever in the Law necessary hereafter to be done for the better Setting and more Sure makeing of all & Euery the Bargained p^{r}misses vnto him the Said Joseph Edloe his heires & assignes for Euer Att the Only cost and Charges in the Law of him the Said Joseph Edloe his heires & assignes as shall be by him the said Joseph Edloe his heires or Assignes or by his or their Councell Learned in the Law reasonably Devized Advised or required so that they the said John & Ellinor or their heires be not compelled to Travill ffurther then the City of S^{t} Maries for the makeing Doeing Acknowledging or Executing thereof according to the true purport & meaning of these Indentures **In Wittnesse** Whereof the Said Ꝑties first abouenamed haue to These

Liber M M

p. 229

Liber M M p^{r}sent Indentures Interchangably Sett to their hands & Seales the day & yeare first above Written

Sealed & Deliu^{r}ed John Anderson (Sealed)
in the p^{r}sence of the marke of
Jn^{o} Blomfeild Ellinor Anderson (Sealed)
Tho. Innes

On the backside of y^{e} aforegoing Deed was thus Written—May 30th 1674

Memorandum That the within Named John Anderson & Elinor his Wife Acknowledged y^{e} wthin Written Deed to be their Act & Deed to the vse wthin mencōned **Charles Calvert.**

Know all men by these p^{r}sents That I John Anderson of the County of Somersett in the Province of Maryland Planter am holden & firmly Indebted vnto Joseph Edloe of the County of Calvert in the Said Province in the full & Just quantity of ffifty Thousand pounds of Sound Tobacco & Caske To be paid to the Said Joseph p. 230 Edloe or to his ce^{r}taine Attorney his heires Exec^{rs} Adm^{rs} or assignes To w^{ch} payment Well & truly to be made I binde my selfe my heires Exec^{rs} and Adm^{rs} in the whole & for the whole ffirmly by these p^{r}sents Sealed wth my Seale Dated this 27th Day of May Annoqꝫ Dom̃ 1674.

The Condicōn of this Obligacōn is Such That if the aboue bounden John Anderson and Ellinor his Wife their heires Exec^{rs} and Adm^{rs} and Euery of them Doe & Shall from time to time and at all times hereafter Well & truly Observe Performe ffulfill & Keepe all & Euery the Severall Covenants, Grants, Articles & Agreements mencōned Specified & Conteined in a certeine paire of Indentures had & made between the Said John Anderson & Ellinor his Wife of the One party and the aboue named Joseph Edloe of the other part and ffurther assurance if Required by the Said Edloe to be made vnto him the Sayd Edloe of all that Land betweene Gunbyes house and the mouth of the Easterne branch all which on their & Euery of their parts are to be observed performed ffulfilled & Kept then this present Obligacōn to be voyd and of none Effect Otherwise to Stand Remaine & be in full force Power and Vertue

Sealed & Deliu^{r}ed John Anderson (Sealed)
in the p^{r}sence of
Tho Innes
Robert Ellys

July 24th 1674

Came Charles Delaroch of S^{t} Maries County and desired his marke of Cattle and hoggs might be recorded which is as followeth vizt.

Cropt of both eares and a peice taken out of the cropp in each eare.

September 25th 1674. Liber M M

William Greengoe the Younger of S^{t} Maries County and Grace Greengoe Son and daughter of William Greengoe Smith desired their markes to be recorded which are as follow vizt

foure white feet, a Starr in the forehead the neare Side branded with a horse shoe.

August 2d 1675.

Came Thomas Hopkins of S^{t} Maries County and desired this marke to be recorded for his Sonn John vizt Cropt on both eares & underhalved On the left eare and over halved On the right.

Maryland ss.

Att a Provinciall Court held at the Citty of S^{t} Maries the thirtenth day of October in the 43th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ One thousand Six hundred Seventy foure and there continued untill the Sixtenth day of the Same month. Upon which Said thirtenth day were present. p. 231

The Hon^{ble} {
Charles Calvert Esqꝫ Leivteñnt Gen^{ll} & Cheife justice.
Philip Calvert Esqꝫ Chancellour
W^{m} Calvert Esqꝫ Principall Secretary
Baker Brooke, Jesse Wharton } Esqꝫs justices

Richard Speed pl̄t
ag^{t}
Edward Erbery & Comp^{a} def^{ts} } Ridgely p pl̄t

It was Comanded the Sheriff of S^{t} Maries County that he take Edward Erbery and Comp^{a} of Bristoll merchants if they Should be found in his Bailiwick and them Safe Keepe So as he have their bodies here at this Day to witt the Sixtenth day of October to answer unto Richard Speed late master and Comander of the Shipp Agreement of Bristoll in a plea of trespas upon the case.

And whereupon the Said Richard Speed by Robert Ridgely his Attorny complaineth that whereas the Said Richard being a marriner and being putt in and employed by the Said Edward and Comp^{a} to be master and Com̄ander of the Shipp Agreement of Bristoll they the Said Edward and Comp^{a} being Owners of the Said Shipp did by their Orders under their hands beareing date the 28th day of October 1672 Order the Said Richard to Saile for the Said Province of Maryland with the Said Shipp and in consideration that the Said Richard Speed would draw bills of Exchange according to the Custome of merchants for the Port Dutyes and Country Custome for the tobacco Shipped On board the Said Shipp On Jeremiah Holwey Sen^{r} Bristoll merchant the Said Edward and Comp^{a} did assume upon themselves and to the Said Richard did faithfully promise

Liber M M that they the Said Edward and Company would well and truly pay the Same And the Said Richard in fact Saith that in pursuance of the aforesaid Orders of the Said Edward and Compa he the Said Richard On the One and twentith of june 1673 did for the Port Dutyes and Country Custome of the tobacco Shipped in the Said Shipp Agreemt draw bills of exchange for thirty One pounds foure two pence On the Said Jeremiah Holwey Senr of Bristoll merchant payble to Charles Calvert or his Order and to Secure the payment of the Said bills of Exchange So drawne by him as aforesaid did together with Benjamin Solly his Security become bound to the Said Charles Calvert in the Summe of 200 £ Sterl that the Said bills of Exchange Should be paid and Satisfied and the Same day to witt the Said 21th of june 1673 the Said Richard became bound to the Said Benjamin in the like Sum̄e of two hundred pounds Sterl to Save the Said Benjamin harmless from the Said former bond So entred into by him the Said Richard and Benjamin joyntly to the Said Charles for the payment of the Said bills And the Said Richard further in fact Saith that at a Provinciall Court held at the Citty of St Maries the 18th day of May in the 42th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ 1674 the Said Charles Calvert by due course of Law by reason of the non payment of the Said bills of Exchange did recover judgmt agt the Said Benjamin for the Sum̄e of 31 £ 4s 2d Sterling the debt aforesaid as also the Summe of 7 £ 14s 4d damages to him adjudge by him to be Susteined by reason of the deteineing of the Said debt. And the Said Richard further Saith that at the Same Court the Said Benjamin impleaded the Said Richard upon the bond aforesaid for two hundred pounds Sterling and thereupon procured an attachment against the goods and Chattells of the Said Richard for two hundred Sixty Six pounds Sterl And the Said Richard in fact Saith that he trusting to the faithfull promise and assumption aforesaid of them the Said Edward and Compa to him the Said Richard So as aforesaid made well and truly to pay the Said bills of Exchange the Said Richard drew the Said bills of Exchange and also became bound in the Severall bonds before mentioned Notwithstanding which the Said Edward & Compa
p. 232 their promise and assumption to him the Said Richard So as aforesaid made little regarding but deviseing and fraudulently intending him the Said Richard in this behalfe craftily and Subtilly to deceive and defraud the Same bills of exchange of thirty One pounds foure Shillings two pence Sterling to him the Said Charles Calvert according to their promise aforesaid have not paid but the Same to pay refused and as yett doe refuse to the damage of the sd Richard of three hundred pounds Sterling and thereupon he bringeth his Suite

Att which day the Same Sheriff made returne of the writt aforesaid and Saith that the Said Edward Erbery and Compa are not found in his Bailiwick.

Liber M M

Whereupon the Said Richard Speed prayed an attachment against the goods Chattells and Creditts of the Said Edward and Comp^{a} to the value of One hundred and fifty pounds Sterling to be directed to the Sheriff of S^{t} Maries and the Sheriff of Charles County respectively and that the Same goods Chattells and Creditts (or any ₱^{t} thereof So attached) to the value aforesaid might be to him delivered and the Same is granted unto him returnable the next Provinciall Court

October 14th

fine 800^{ll} Tob

M^{r} Robert Carvile and M^{r} Kenelm Cheseldyn Attornyes of this Court for non attendance upon the Court. fined four hundred pounds of tobacco apeice

Virlinda Stone
ag^{t}
Edmund Lindsey

It was Comanded the Sheriff of Charles County that he take Edmund Lindsey if &c to answer unto Virlinda Stone in a plea of takeing and unjustly withholding of Henry Dorman her Servant.

And whereupon the Said Virlinda by John Morecroft her Attorny Saith that the Said Edmund the first day of june in the 40th yeare of the Dominion of Caecilius &c in Charles County tooke and him unjustly deteined against Suertyes and pledges wherefore She Saith She is dampnified and hath losse to the Value of three thousand pounds of tobacco and thereupon she bringeth her Suite.

And the Said Edmund by Robert Carvile his Attorny Cometh and defendeth the force and injury when &c and Saith he is in no wayes guilty of the p^{r}misses above against him by the Said Virlinda Complained of and of this he putts himselfe upon the Country and the Said Virlinda likewise. Therefore it is Comanded the Sheriff that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c.

Afterwards to witt the 15th day of October in the 43th yeare of his Lop̄ps Dominion Came aswell the Said Virlinda Stone by Kenelm Cheseldyn her Attorny and the Said Edmund Lindsey by Robert Carvile his Attorny as the jurors of that jury likewise Came to witt. Richard Edlen James Nutthall, W^{m} Dunkerton Samuel Hatton Henry Rider, Thomas Price, Robert Hatton, Abell James Thomas Griffin W^{m} Melton Robert Morgan and Constant Daniel who to Say the truth in the premisses being impannelled Sumoned and Sworne. Upon their Oathes doe Say that they find for the plaintiff twelve hundred pounds of tobacco.

Therefore it is Considered by the Court here that the Said Virlinda Stone recover against the said Edmund Lindsey as well the Said Sum̃e of twelve hundred pounds of tobacco the debt aforesayd as also the sum̃e of One thousand and forty pounds of tobacco for her costs and Charges in this behalfe laid Out and expended.

Liber M M Henry Phippes Administrat^{r} of Edward Maynard deceased. ag^{t} Thomas Marsh

It was Comanded the Sheriff of S^{t} Maries County That whereas Thomas Marsh of Ann Arrundell County Planter was Sumōned to answer unto Henry Phippes adm^{r} of the goods and Chattells of Edward Maynard marriner deceased in a plea that whereas the Said Thomas the Sevententh day of May in the yeare of 1673 was the receiver of the tobacco of him the Said Edward in his life time to receive tobacco for the use of him the Said Edward the Summe of forty thousand Six hundred Seventy and eight pounds of tobacco p. 233 due from Severall persons in Ann Arrundell County as also the Sum̃e of twenty nine thousand three hundred thirty nine pounds of tobacco in bills and accompts received by the Said Thomas Marsh of the Said Edward Maynard and also the Sum̃e of thirty two thousand Six hundred thirteene pounds of tobacco in Baltemore County Yet Neverthelesse the Said Thomas reasonable accompt thereof to the said Edward in his life time nor to the said Henry after the death of the Said Edward to whom administration of all and Singular the goods and Chattells of the Same Edward was Com̃itted hath refused and as yet doth refuse to the great damage of the Said Henry (as it is Said) and in hinderance of the administration aforesaid In Such manner it is proceeded in Our Provinciall Court that the Said Henry Ought to recover his damages by Occasion aforesaid. That he cause to Come here to witt the 13th day of October in the 43th yeare of his Lopp̃s Dominion &c twelve good and lawfull men of this Province to enquire what damages the Said Henry hath Susteined by Occasion of the trespas aforesaid.

Att which day Came aswell the Said Henry Phippes by Kenelm Cheseldyn his Attorny and the Said Thomas Marsh by Robert Carvile his Attorny as the jurors of that jury likewise Came to witt Richard Edelen James Nutthall William Dunkerton Samuel Hatton Thomas Price Robert Hatton Abell James Thomas Griffin William Melton Robert Morgan Constant Daniell and Richard Bayly who being impanelled Sum̃oned and Sworne to Say the truth of and in the premisses upon their Oathes doe Say they find for the plaintiff damages to the Value of One thousand pounds of tobacco.

Therefore it is considered by the Court here that the Said Henry Phipps recover against the Said Thomas Marsh aswell a certaine debt of Seaven thousand two hundred Sixty Six pounds of tobacco as the sum̃e of One thousand pounds of tobacco damages occasioned by the unjust detention of the Said debt together with two thousand two hundred eighty foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Pope Alvey agt John Saunders } Comand was given to the Sheriff of St Maries County that he take John Saunders merchant if &c to answer unto Pope Alvey in a plea of trespas upon the case. Liber M M

And whereupon the Said Pope Alvey by Robert Ridgely his Attorny complaineth that whereas the Said John Saunders upon the thirtith day of March in the 42th yeare of the Dominion of Caecilius &c Annoq Dom̃ 1674 in consideration that he the Said Pope at the Speciall instance and request of him the Said John would Sell and deliver unto him the Said John two hogesheads of tobacco containeing neate Seaven hundred and eighty pounds the Said John did assume upon himselfe and to the Said Pope did then and there faithfully promise that he the Said John to him the Said Pope three thousand of Single tenn-penny nailes and three thousand of double tenn penny nailes at the rate and price of Sixty pounds of tobacco for each thousand would upon demand well & faithfully deliver and also the remainder of the Said Seaven hundred and eighty pounds of tobacco after the Said Six thousand of nayles was paid for at the price aforesaid the Said John did assume upon himselfe and to the Said Pope did faithfully promise that if the Said Pope would travell to the Store of him the Said John at the house of Randall Hanson in St Maries County he would pay the value thereof to the Said Pope in redd broad Cloath or any other goods that he had in his Said Store and that the Said Pope should make choice off at Such reasonable rates as he the Said John had Sold goods to any other the Inhabitants of this Province. And the Said Pope in fact Saith that he trysting to the faithfull promise and assumption aforesaid of him the Said John did the day and yeare abovesaid at the plantation of him the Said Pope in St Maries County aforesaid deliver unto him the Said John the Said two hogesheads of tobacco containeing neate the Said Summe of Seaven hundred and eighty pounds of tobacco, and afterwards to witt the Second day of April then next following did travell to the Store of him the Said John at the house of the Said Randall Hanson aforesaid and then and there of the Said John did demand the Six thousand of nailes aforesaid and red broad Cloth and other goods that he the Said John had in his Store to the value aforesaid Notwithstanding which the said John p. 234 his promise and assumption So as aforesaid made not regarding but fraudulently intending him the Said Pope in that behalfe craftily and Subtilly to deceive and defraud the Said Six thousand of nayles or the redd broad Cloath or other goods to the Value aforesaid to him the said Pope to deliver altogether refused and denyed and as yet doth refuse and deny whereupon the Said Pope Saith he is dampnified and hath losse to the value of twelve thousand pounds of tobacco and thereupon he bringeth his Suite.

Liber M M And the Said John by Robert Carvvile his Attorny cometh and defendeth the force and injury when &c and prayes Licence to imparle hereunto untill the next Provinciall Court the Same day is given to both parties.

Att which day to witt the thirtenth day of October in the 43th yeare of his Lop̄ps Dominion &c came the Said John by Robert Carvile his Attorny and Saith that he did not assume upon himselfe and make Such promise as the Said Pope above against him hath declared and of this he putts himselfe upon the Country and the Said Pope also therefore Com̄and is given to the Sheriff of S^t Maries County that he cause to come here twelve &c who aswell &c to recognize &c who neither &c

Afterwards to witt the Same thirtenth day of October in the yeare aforesaid Came aswell the Said Pope Alvey by Robert Ridgely his Attorny and the Said John Saunders by Robert Carvile his Attorny as the jurors of that jury likewise came to witt Richard Edelen James Nutthall William Dunkerton Samuel Hatton Thomas Price Robert Hatton Abell James Thomas Griffin W^m Melton Robert Morgan Constant Daniell and Richard Bayly who being Sumoned impannelled and Sworne upon their Oathes doe Say they find for the plaintiff One thousand pounds of tobacco damages and the two hogesheads of tobacco in Kind.

Therefore it is considered by the Court here that the Said Pope Alvey recover against the Said John Saunders aswell the Summe of Seaven hundred and eighty pounds of tobacco the debt aforesaid as the Sum̄e of One thousand pounds of tobacco for his damages Susteined by Occasion of the premisses together with fifteen hundred and Seaven pounds of tobacco for his costs and Charges in this behalfe expended and laid Out.

fine 500^{ll} tob Henry Rider of S^t Maries County being impannelled and Sum̄ōned to try the issue joyned between Pope Alvey plaintiff and John Saunders def^t and not appeareing was by the Court fined five hundred pounds of tobacco.

Samuel Winslow adm^r Henry Webb
ag^t
John Bowles execut^r W^m Battin
the Same
ag^t
the Same
the Same
ag^t
the Same

the def^t by Robert Carvile his Attorny moved the Court to amend his plea which was accordingly and these the causes continued untill next Court.

Thomas Mountford
agt
Samuel Hatton
} in Ejectment.

Samuel Hatton late of Talbott County was attached to answer unto Thomas Mountf[ord] of a plea wherefore by force and armes a parcell of land called Gouldstone contein[ing] fifty acres in Great Choptanck in Talbott County which Edward Roe to him the said Thomas did demise for a terme which is not yet past did enter and him the Said Thomas did eject from his ffarme aforesaid and other Enormityes to him did there doe to the great damage of the Said Thomas and Contrary to the Peace &c

And whereupon the Said Thomas by John Morecroft his Attorny p. 235 Complaineth that whereas the Said Samuel the tenth day of May in the 40th yeare of the Dominion of Caecilius &c had demised to him the said Thomas the Tenements aforesaid with the appurtenñces to have and to hold to the said Thomas and his assignes from the feast of the Annunciation of the blessed Virgin Mary to the end and terme of five yeares from thence next ensueing fully to be compleate and ended by Virtue of which demise the said Thomas into the Tenemts aforesaid with the appurtenñcs aforesaid did enter and was thereof possessed and So thereof being possessed the Said Samuel Hatton the Said Sixth day of July in the 40th yeare of the Dominion of Caecilius aforesaid into the Tenements aforesaid with the appurtenñcs which the said Edward to the Said Thomas in forme aforesaid had demised for the terme aforesaid which is not yet past with force and armes did enter and him the Said Thomas from his farme aforesaid did eject and other enormityes to him did there doe to the great damage of him the Said Thomas and contrary to the peace &c whereupon he Saith he is dampnified and is worse to the value of tenn pounds Sterling and thereupon he bringeth his Suite.

And the Said Samuel Hatton by Kenelm Cheseldyn his Attorny Comes and defends the force and injury when &c and the Said Samuel prayeth delay thereof untill the first day of December Court and the Same day is granted unto the Said Thomas.

And the Said John Boone by Thomas Bland his Attorny comes and defends the force and injury when &c and Saith he is in no wise guilty of the trespas and ejectment as the Said Thomas there hath declared and of this he putts himselfe upon the judgmt of the Court.

Now here at his day to witt the fourteenth day of October in the 43th yeare of his Lo̅pps Dominion &c Came the said John Boone the deft in this cause by Thomas Bland his Attorny but the said Edward Roe the ejector came not Therefore it is considered by the Court that a non suite be granted against the plaintiff and that the Said John Boone recover against the Said Edward Roe the Sum̄e of Seaven hundred forty foure pounds of tobacco for his costs and

Liber M M charges in this behalfe laid Out and expended and the Said Edward Roe in mercy &c.

Thomas Bland
ag^{t}
Thomas Gant
Continued untill next Court

Philip Shapleigh & Joyce his wife executrix of the last will & testam^{t} of Daniel Holland deceased
ag^{t}
John Steward

John Steward late of Dorchester County was Sumoned to answer unto Philip Shapleigh and Joyce his wife executrix of the last will and Testament of Daniel Holland deceased in a plea that he render unto them the sum̄e of four hundred pounds of tobacco which from them he unjustly deteineth

And whereupon the Said Philip and Joyce by Kenelm Cheseldyn their Attorny Say that whereas the said John Steward the 11th day of January in the yeare 1671 by his certaine writeing Obligatory Sealed with the Seale of the Said John here in Court produced whose date is the day and year abovewritten did bind himself his heirs executors and administrators to pay or cause to be paid unto the Said Daniell Holland of the same County his heirs executors or administrators the full and just quantity of foure hundred pounds of tobacco in caske due to be paid at or upon the tenth day of October next ensueing the date thereof at his Said dwelling plantac̄on notwithstanding which the said John the Said Summe of foure hundred pounds of tob̄ according to the tenor of his Said bill hath not paid p. 236 though often thereunto required to the Said Daniell in his life time nor to the Said Joyce while She was Sole nor to the Said Philip and Joyce Since espousalls executrix of the last will and Testament of the Said Daniell but the Same to pay altogether denies to the damage of the Said Philip and Joyce eight hundred pounds of tobacco & thereupon they bring their Suite.

And the Said Philip and Joyce bring also here into Court the letters testamentary of the Said Daniell that it may appeare to the Court here that She is executrix of the Said will and thereupon to have administration

And the Said John Steward by Vincent Lowe his Attorny Saith that the plaintiffs abovesaid Ought not to have their action because that the Same day and yeare of makeing the writeing that is to Say the 11th day of January in the yeare of Our Lord God 1671 Daniell Holland by his certaine bill of acquittance which the def^{t} brings here into Court the date whereof is the Same day and yeare abovesaid he the Said Daniell Holland acquitted him the Said John Steward by the name of John Steward of all bills bonds and accompts what-

soever from the begining of the World until the day and date thereof Liber M M
and of this he putts himselfe on the Country.

And now here at this day to witt the 14th day of October in the 43th yeare of his Lopp̄s Dominion &c Came the Said Philip and Joyce by Kenelm Cheseldyn their Attorny and Offered themselves against the Said John Steward of and upon the premisses but the Said John came not but made default Therefore it is considered by the Court here that the Said Philip and Joyce recover against the Said John Steward aswell the Sum̄e of foure hundred pounds of tobacco the debt aforesaid as also the Sum̄e of three hundred forty foure pounds of tobacco for their costs and Charges in this behalfe laid Out and the Said John in mercy &c.

John Shancks
agt
Edward Conery } in ejectmt Nehemiah Blackistone the Ejector

By virtue of an Order of Court made the tenth day of ffebruary 1673 it was Comanded the Sheriff of St Maries County to empannell and sweare twelve free and legall men of his County to enquire the truth of the matter of the lands in question betweene the Said Nehemiah Blackistone and Edward Connery and also to examine and Sweare Such wittnesses as should be produced by the Said parties to testifie in the same matter to the Said jury which jurors are David Driver Peter Mills Richard fforster Jno Tennison John Blackiston Wm Cole Michael Thompson Peter Pake Robert Cooper Thomas Kirkley John Bullock and John Heard who being impannelled Sumoned and Sworne upon their Oathes doe Say That the bounds mentioned in Mr Nehemiah Blackistones deed made to him from Thomas Gerrard Esq are the same bounds which were the Same bounds of Robert Coopers Lease before and at the time that Edward Connery had his deed from the Said Thomas Gerrard Esq and agreeing to the plott drawne by Charles Boteler Deputy Surveyr and the Same jurors upon their Oathes doe further Say That they have directed Mr Charles Boteler Deputy Surveyr to runn two lines upon the Said Conneryes land but cannot perfect the Survey by reason that the bounds of Gerrard Brittons Land and Mr ffoxalls land cannot be found as in the Said Edward Conneryes deed is required.

Therefore it is Comanded the Same Sheriff that he cause to come here to witt the 15th day of October in the 43th yeare of his Lopp̄s Dominion &c twelve &c who neither &c to recognize &c because aswell &c.

Att which day came aswell the Said Nehemiah Blackistone and the Said Edward Connery by their Attornyes and the jurors of that jury likewise Came likewise to witt Raymond Stapelfort James p. 237
Nutthall Wm Dunkerton Samuel Hatton Thomas Price Robert Hat-

Liber M M ton Abell James Thomas Griffin Wm Melton Robert Morgan Constant Daniell and Richard Bayly who being impannelled Sumoned and Sworne to Speake the truth upon their Oathes doe Say they find for the plaintiff Nehemiah Blackistone.

Therefore it is considered by the Court here that the Said Nehemiah Blackistone recover against the Said Edward Connery the Sume of two thousand foure hundred eighty and foure pounds of tobacco for his costs and Charges in this behalfe expended and the Said Edward in mercy.

Elizabeth Young
agt } agreed.
Wm Smith

Wm Worgan
agt } Anthony Dawson late of Dorchester County otherwise called Anthony Dawson Carpenter of
Anthony Dawson the County of Dorchester in the Province of Maryland was Sum̄oned to answer unto William Worgan in a plea that he render unto him the Sum̄e of foure thousand Seaven hundred and eighteene pounds of tobacco which to him he oweth and unjustly deteineth.

Whereupon the Said William by Kenelm Cheseldyn his Attorny Saith that whereas the Said Anthony the Sixth day of January in the yeare 1673 did by his certaine writeing Obligatory Sealed with the Seale of the Said Anthony here in Court produced whose date is the Same day and yeare above written acknowledge himselfe to be holden and firmly bound unto the Said William Worgan of the same County and Province Inholder to him his heirs executors or administrators or certaine Attorny the full and just Sum̄e or quantity of foure thousand Seaven hundred and eighteene pounds of good Sound merchantable tobacco and caske according to Act of Assembly it being for a valuable Consideration, in hand already received by me thus to be paid at Some convenient place in little Choptanck River upon all demands and for the true performance of the Same he did bind himselfe his heirs executors admrs firmly by those presents notwithstanding which the Said Anthony the Said Sum̄e of foure thousand Seven hundred and eighteene pounds of tobacco according to the tenor of his Said bill hath not paid though often thereunto required but the Same to pay hitherto hath denied and as yet doth deny to the damage of the Said William 6000l of tobacco and thereupon he bringeth his Suite

And the Said Anthony by John Rousby his Attorny Cometh and defendeth the force and injury when &c and prayes liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him the Same day is given to both parties.

Now here at this day to witt the 14th day of October in the 43th yeare of his Lop̄ps Dominion &c Came the Said William by Kenelm

Cheseldyn his Attorny but the said Anthony Came not but made default therefore it is considered by the Court here that the Said William recover against the Said Anthony the Said Sum̃e of foure thousand Seven hundred and eighteene pounds of tobacco his debt aforesaid as also the Sum̃e of four hundred pounds of tobacco for his Costs and Charges in this behalfe expended and laid Out and the Said Anthony in mercy &c. Liber M M

Demetrius Cartwright
ag^{t}
John Watkins
Ordered the attachm^{t} continued.

W^{m} Russell & Thomas Chandler
ag^{t}
John Wells
issue being joyned last Court and this cause ordered for tryall this Court and the plaintiffs not appeareing to make any further prosecution therein the cause dismist. p. 238

Mary Thomas
ag^{t}
John Allen
Charles Delaroch
ag^{t}
John Allen
the Same
ag^{t}
the Same
Ann Neale
ag^{t}
John Allen
John Dūston
ag^{t}
John Allen
the def^{t} in these five causes being administrator of the estates of Severall persons and as yet not haveing accompted with the Com̃issary Ordered to be continued untill next Court.

Timothy Lindall
ag^{t}
Philip Shapleigh
Philip Shapleigh late of S^{t} Maries County was Summoned to answer unto Timothy Lindall of a plea that he render to him his reasonable accompt of the time wherein he was the receiver of the tobacco of him the Said Timothy which to him to render he Ought

And whereupon the Said Timothy by Robert Carvile his Attorny Saith that whereas the Said Philip upon the two and twentith day of ffebruary in the yeare of Our Lord 1670 was the receiver of the tobaccoes of him the Said Timothy and then received of Richard Keene by the Order and appointment of the Said Timothy Severall bills on Severall men to the value of 3640 ƚ tobacco which bills or

Liber M M tobacco he did engage himselfe his executors and admrs to deliver to the aforesaid Timothy Lindall or his Order and to render a reasonable accompt thereof when he Should be thereunto required Yet neverthelesse the Said Philip though often thereunto required hath not rendred his reasonable accompt aforesaid to the Said Timothy but hitherto hath denyed and as yet doth deny to render the Same unto him whereupon he Saith he is dampnified and hath losse to the value of 6000 ℔ tobacco and thereupon he bringeth his Suite

And the Said Philip by Kenelm Cheseldyn his Attorny Cometh and defend[eth] the force and injury when &c and prayes liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him.

Att which said court to witt the 12th day of May in the 42th yeare of his Lop̄ps Dominion &c came the Said Timothy and Philip by their Attorneys and the Said Philip prayed further delay hereof untill the next Provinciall Court and it is granted him

Att which said Court to witt the 12th day of May in the 42th yeare of his Lop̄ps Dominion &c Came the Said Timothy and the said Philip by their Attornyes and the Court then Ordered that the deft accompt with the plaintiff and that Garrett Vansweringen and Robert Ridgely doe audite the accompts and make report thereof to the Court here at the next Provinciall Court

p. 239 Now here at this day to witt the 13th day of October in the 43th yeare of his Lop̄ps Dominion &c the Said Auditors doe report that they have audited the Said accompts in presence of the Attornyes of both Sides and doe report as followeth vizt that the defendt Shapleigh Ought to deliver unto the plaintiff bills for three thousand Six hundred and forty pounds of tobacco uncancelled which he received of the plaintiff the 22th ffebruary 1670 or if he cannot deliver the Said bills then that the Said Shapleigh ought to pay the tobacco abovementioned to the Said Lindall according to a noate under the Said Shapleighs hand dated the 22th ffebruary 1670 and to them produced and by them Signed.

Therefore it is Considered by the Court here that the Said Timothy Lindall recover against the Said Philip Shapleigh aswell the Said Summe of three thousand Six hundred and forty pounds of tobacco the debt aforesaid as also the Summe of foure hundred thirty One pounds of tobacco for his costs and charges in this behalfe expended, and that upon payment of the Said tobacco the Said Philip may be impowered to recover the abovespecified bills.

Henry Aspinall
agt
Stephen Murty
John Browne
agt
Wm King

these two causes agreed.

Hugh Magarro
agt
Robert Doyne
Daniel Jenifer
agt
Jonathan Squire admr
Jno Morecroft.
these two causes continued untill next Court.

Vincent Elliott
agt
Jeremiah Eaton

Jeremiah Eaton late of Kent County otherwise called Jeremiah Eaton of Kent County in the Province of Maryland Mercht was Sumoned to answer unto Vincent Elliott of a plea that he render unto him three thousand Seven hundred and ten pounds of tobacco in caske which to him he oweth & unjustly detaineth.

And whereupon the Said Vincent by Mathew Warde his Attorny Saith that whereas the Said Jeremiah upon the fifth day of August One thousand Six hundred Seventy two by his certaine bill in writeing Sealed with the Seale of the Said Jeremiah and delivered as his Act and deed to the use of the Said Vincent and here in Court produced whose date is the Same day and yeare aforesaid did bind himselfe his heirs executrs and administrators to pay or cause to be paid unto Vincent Elliott of the County of Baltemore in the Said Province of Maryland Boatwright his heirs executors administrators and assignes the just and full Summe of three thousand Seaven hundred and ten pounds of good Sound merchantable tobacco in caske qualified according to Act of Assembly and payable upon all demands after the tenth day of October next ensueing the date thereof at Some Convenient place in Kent County aforesaid Yet notwithstanding the Said Jeremiah the Said Summe of three thousand Seven hundred and ten pounds of tobacco to him the Said Vincent though often thereunto required according to the said bill hath not paid and contented but the Same to him to pay doth altogether deny and refuse whereupon he Saith he is dampnified and hath losse to the value of five thousand pounds of tobacco and thereupon he bringeth his suite. p. 240

And the Said Jeremiah by Kenelm Cheseldyn his Attorny Cometh and defendeth the force and injury when &c and prayeth liberty of Speaking hereunto untill the next Court, the same day is granted both parties

Now here at this day to witt the 14th day of October in the 43th yeare of the Dominion of Caecilius &c Came the said Vincent Elliott by Mathew Warde his Attorny but the Said Jeremiah Eaton Came not but made default, therefore it is Considered by the Court here that the Said Vincent recover against the Said Jeremiah aswell the Said Summe of three thousand Seaven hundred and ten pounds of

Liber M M tobacco the debt aforesaid as also the summe of five hundred ninty five pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

John Nevill
ag^{t}
John Desiardins

this Suite abates the pl̃ being deceased.

Randolph Revell
ag^{t}
George Johnson

George Johnson late of Somersett County otherwise called George Johnson of the County of Somersett planter was Sumoned to answer unto Randolph Revell of a plea that he render unto him the sum̃e of foureteene hundred and One pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Said Randolph by John Rousby his Attorny Saith That whereas the Said George upon the fiftenth day of August in the yeare of Our Lord 1670 by his certaine bill Obligatory Sealed with the Seale of the Said George and herein Court produced whose date is the Same day and yeare did bind himselfe his heirs executors and adm^{rs} to pay or cause to be paid unto the Said Randall his heirs execut^{rs} administrat^{rs} assignes or lawfull Attorny the Summe and just quantity of fourteene hundred and One pounds of good Sound merchantable tobacco and caske upon demand at or before the tenth day of October then next ensueing which said Sum̃e of fourteene hundred and One pounds of tobacco the Said George although often demanded hath not hitherto paid or Satisfied according to the Said bill but the same to him the said Randall to pay or Satisfie hath denyed & doth Still deny and refuse whereupon he Saith he is dampnified and hath losse to the value of two thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said George by Robert Carvile his Attorny Cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court and the same day is given to both parties.

Now here at this day to witt the Sixtenth day of October in the 43th yeare of his Lop̃pes Dominion &c Came the said Randall Revell by John Rousby his Attorny and the said George Johnson by Robert Carvile his Attorney and the said George Saith that Since the Sealeing of the Said bill he the Said George hath paid to the said Randall in part of the said fourteen hundred and One pounds of tobacco the summe of two hundred fifty Seaven pounds of tobacco but as to eleaven hundred forty foure pounds of tobacco residue of the said
p. 241 Summe of fourteene hundred and One pounds of tobacco he Saith nothing in barre of the Said action of the aforesaid Randall by which the Said Randall remaineth against the said George thereupon undefended

Liber M M

Therefore it is considered by the Court here that the said Randall recover against the said George aswell the Said Summe of eleaven hundred forty foure pounds of tobacco the residue of the debt aforesaid as also the summe of   pounds of tobacco for his Costs and charges in this behalfe expended and laid Out and the said George in mercy &c.

John Quigley
agt
James Berry
John Quigley
agt
Wm Berry

these two causes continued untill next Court by consent of the Attornyes of both sides.

Thomas Abbott
agt
Henry Turner

Henry Turner late of Dorchester County otherwise called Henry Turner of the County of Dorchester and province of Maryland was Sumōned to answer unto Thomas Abbott in a plan that he render unto him the Summe of eleaven hundred pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said Thomas Abbott by Kenelm Cheseldyn his Attorny Saith that Whereas the Said Henry the eighteenth day of June Annoq Dom̃ 1673 did by his certaine writeing Obligatory Sealed with the Seale of the Said Henry here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to Owe & Stand indebted unto the Said Thomas Abbott of the Same County and Province aforesaid in the full and just Summe of eleaven hundred pounds of good Sound merchantable tobacco in caske according to the Act of Assembly which Said tobacco is to be paid at or upon the tenth day of October next ensueing the date thereof in Some convenient place in Little Choptanck it being for a valuable consideration already in hand received by him the said Turner and to the good meaneing and true performance of the aforesaid premisses he the Said Henry Turner did bind himselfe his heirs executors administrators firmly by those presents Notwithstanding which the Said Henry the Said Summe of eleaven hundred pounds of tobacco according the the tenor of his Said bill though often thereunto required hath not paid but the Same to pay hath altogether denyed and Still doth deny to the damage of the Said Thomas Abbott two thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Henry Turner by Vincent Lowe his Attorny Cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill this Court and it is granted unto him and the Same day is given to both parties.

Liber M M Now here at this day to witt the Sixtenth day of October in the 43th yeare of his Lop̄ps Dominion &c Came the Said Thomas Abbott by Kenelm Cheseldyn his Attorny but the Said Henry Came not but made default. Therefore it is considered by the Court here that the Said Thomas Abbott recover against the Said Henry Turner aswell the Sum̃e of eleaven hundred pounds of tobacco the debt aforesaid as also the Sum̃e of foure hundred & Sixteene pounds of tobacco for his costs & charges in that behalfe laid Out.

p. 242 Nathaniel Garrett
agt
Wm Claw & John Smallpeece
executors of Jno Reynolds

William Claw and John Smallpeece late of St Maries County executors of the last will and Testament of John Reynolds deceased were Summoned to answer unto Nathaniel Garrett in a plea that they render unto him the Summe of fifteene hundred ninty Six pounds of tobacco which from him they unjustly detain

And whereupon the Said Nathaniel by Kenelm Cheseldyn his Attorny Saith that whereas the Said John Reynolds in his life time the 27th day of March in the yeare 1672 did by his certaine writeing Obligatory Sealed with the Seale of the Said John here in Court produced whose date is the Same day, and yeare abovewritten acknowledge himselfe holden and firmly bounden unto the Said Nathaniel Garrett in the full and just Summe of fifteen hundred ninty Six pounds of tobacco Sound and merchantable in caske to be paid at Some convenient place in the County aforesaid at or before the tenth day of October next ensueing the date thereof and to the which payment thereof well and truly to be paid unto the Said Nathaniel his heirs or assignes Notwithstanding which the Said John Reynolds the Said Summe of fifteene hundred ninty Six pounds of tobacco according to the tenor of his Said bill in his life time hath not paid to him the said Nathaniel nor the Said William Claw and John Smallpeece executors of the last will and Testament of the Said John Reynolds Since his death though often thereunto required but the Same to pay hath & Still doth deny to the damage of the Said Nathaniel three thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Wm Claw and John Smallpeece by Robert Carvile their Attorny cometh and defendeth the force and injury when &c and pray liberty of Speakeing hereunto untill the next Provinciall Court and it is granted them the Same day is given to the Said Nathaniel likewise.

Now here at this day to witt the sixtenth day of October in the 43th yeare of his Lop̄ps Dominion &c Came the Said Nathaniel Garrett by Kenelm Cheseldyn his Attorny and the Said Wm and

John by Robert Carvile their Attorny came likewise and the Said Liber M M Wm and John Say nothing in barre of the action aforesaid of him the Said Nathaniel Garrett Therefore it is considered off by the Court here that the Said Nathaniel recover against the Said William and John of the estate of the Said John Reynolds aswell the Said Sum̄e of fifteene hundred ninty Six pounds of tobacco the debt aforesaid as also the Sum̄e of   pounds of tobacco for his costs of Suite in this behalfe laid Out. But So as execution thereof cease untill Such time as affects or effects come into the hands of the Said Executors.

Thomas Gibson Lessee of Wm Russell
agt
James Neale & Anna his wife

This action of ejectment being commenced by the Said Thomas Gibson as Lessee to the Said Wm Russell agt Arthur Turner the casual ejector and James Neale and Anne his wife daughter and heire of Benjamin Gill deceased the parties concerned being by Order of Court named defts in Stead of the casuall Ejector to try the title of a parcell of land and certaine houses thereon built now in the tenure of the Said James Neale and Anne his wife or John Lovett or their assignes and being now in dispute betweene the Said Wm Russell and James Neale and Anne his wife And the Court finding it necessary that the due lynes and bounds of both persons lands be Surveyed by a Skillfull person according to the Originall Surveyes and pattents thereupon granted to Christopher Russell ffather of the Said Wm Russell and Benjamin Gill ffather of p. 243 the Said Anne and that a faire Plott and Certificate thereof be returned to the Court. It is by the Court this day Ordered that the Honble Baker Brooke Esq Surveyr Genll or his Deputy Surveyr for the Said County of Charles County be especially appointed by this Court and are hereby appointed impowered and com̄anded to Lay Out the Lands of the Said Wm Russell and the land of the Said James Neale and Anne his wife and to runn Out the true lines and Sett Out their true meets and bounds according to their respective pattents aforesaid to the Said Christopher Russell and Benjamin Gill in the presence of the Sheriff of Charles County who is hereby com̄anded and impowered to Sumōn and impannell a jury of twelve honest and legall men of his Bailiwick of the neighbourhood to the Said Lands upon the Said Land and to examine wittnesses upon Oath that the truth of the matter may be fully discovered And the Said Surveyour Genll or his Deputy aforesaid is hereby Ordered to runn his lines according to the evidence then given and the direction of the jury and to returne a Certificate of his Proceedings herein and a faire plott distinctly drawne of the Said lands in question together with the evidence that was Sworne to the next Provinciall Court to

Liber M M be held at the Citty of S^{t} Maries the eighth day of December next attested under the hand and Seale of the Said Surveyour Generall or his Deputy as aforesaid as of the Said Sheriff and the jurors That So his Lopp̄s justices here being fully informed of the truth of the premisses may doe herein as to justice Shall appurteine.

John Manning
ag^{t}.
George Lordman

George Lordman late of Calvert County planter otherwise called George Lordman of Talbott County planter was Summoned to answer unto John Manning of a plea that he Keepe with him the Covenant betweene them made according to the forme force and effect of a certaine writeing thereof betweene them made.

And whereupon the Said John by George Parker his Attorny Saith that whereas the aforesaid George Lordman by a certaine writeing made the Six and twentith day of January in the yeare of Our Lord God One thousand Six hundred Seventy two Sealed with the Seale of him the Said George and here in Court produced whose date is the Same day and yeare first abovewritten did Covenant and agree to and with the Said John to Serve him faithfully in all things what the Said Manning Shall imploy him from the day of the date of the Said writeing untill the last day of November next ensueing the date thereof as by the Said writeing it doth and may move fully appeare And the Said John in fact Saith that the aforesaid George did not Serve him faithfully in all things untill the last day of November aforesaid as by the abovesaid writeing he is engaged although often thereunto required But him the said John to Serve he hath denyed and Still doth deny to the great damage of the Said John whereupon he Saith he is dampnified and hath losse to the value of three thousand pounds of tobacco and there upon he brings his Suite.

And the Said George by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court and it is granted him the Same day is given to both parties

Now here at this day came the said John by his Attorny to witt
p. 244 the Sixtenth day of October in the 43th yeare of his Lopp̄s Dominion &c and offered himselfe against the Said George but the Said George came not but made default. Therefore it is considered by the Court here that the Said John Manning recover against the Said George Lordman his damages for the trespas aforesaid together with the quantity of pounds of tobacco for his costs of Suite.

John Manning
ag^{t}
George Lordman

George Lordman late of Calvert County planter otherwise called George Lordman of Talbott County planter was Summoned to answere unto John Manning of a plea that he render unto him

Liber M M

the just Sum̃e of five hundred pounds of good Sound tobacco and caske which he oweth and unjustly deteineth.

And whereupon the Said John Manning by George Parker his Attorny Saith that whereas the Said George the nine and twentith day of January in the yeare of Our Lord One thousand Six hundred Seventy & two by his certaine bill Obligatory Sealed with the Seale of the Said George and here in Court produced whose date is the Same day & yeare first abovewritten did bind himselfe his heirs executors admrs or assignes to pay or cause to be paid unto the said John his heirs executrs admrs or assignes the just Sum̃e of five hundred pounds of good Sound tobacco and caske to be paid On the Clifts at or upon the tenth day of October next ensueing the date of the Said bill Notwithstanding the Said George the Said Sum̃e of five hundred pounds of tobacco to him the Said John hath not paid although often thereunto required but the same to pay hath refused and still doth refuse whereupon he Saith he is dampnified and hath losse to the value of One thousand pounds of tobacco and thereupon he bringeth Suite

And the Said George by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Court and it is granted him the Same day is given to both parties.

Now here at this day to witt the Sixtenth day of October in the 43th yeare of his Lop̃ps Dominion &c Came the Said John by his Attorny but the Said George Came not but made default therefore it is considered by the Court here that the Said John Recover against the Said George Lordman aswell the said Sum̃e of five hundred pounds of tobacco the debt aforesaid as also the Sum̃e of pounds of tobacco for his costs of Suite in this behalfe laid Out and expended.

Edward Armstrong
agt
John Anderson

the Sheriff of Somersett County amerced 40s the deft not appeareing by himselfe or Attorny

Walter Carr
agt
John Russell

John Russell late of the Clifts in Calvert County planter otherwise called John Russell of Calvert County in the Province of Maryland planter was Sumõned to answer unto Walter Carr in a plea that he render unto him eighteene thousand and twenty pounds of good Sound well conditioned merchantable tobacco and caske to containe the same which to him he oweth and unjustly deteineth.

And whereupon the said Walter Carr by George Parker his At-

Liber M M p. 245 torny Saith that whereas the Said John Russell the fourth day of May in the yeare of Our Lord God One thousand Six hundred Seventy & two by his certaine writeing Obligatory Sealed with the Seale of the said John and here in Court produced whose date is the day and yeare first abovewritten was held and firmly bound to Walter Carr of Ann Arrundell County planter in eighteene thousand and twenty pounds of good sound well conditioned merchantable tobacco and caske to conteine the same To be paid to the Said Water Carr or to his certaine Attorny his executors adm^{rs} or assignes To w^{ch} payment well and truly to be made and done he the said John did bind himselfe his executors and administrators firmly by those presents Notwithstanding which the Said John the Said eighteene thousand and twenty pounds of tobacco to the said Walter though often thereunto required hath not paid according to the tenor of the Said writeing but the same to pay hath refused and as yet doth refuse whereof the Said Walter Saith he is worse and hath damage to the value of twenty thousand pounds of tobacco & thereupon he bringeth his Suite.

And the aforesaid John by Thomas Bland his Attorny doth come and defend the force and and injury when &c. and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also the heareing of the Condition of the Said writeing aforesaid and it is read unto him in these words The Condition of this Obligation is Such That if the abovebounden John Russell his heirs executors adm^{rs} and assignes or any of them shall and doe well and truly pay or cause to be well and truly paid unto the abovenamed Walter Carr or to his certaine Attorny his executors adm^{rs} and assignes the full and just quantity of nine thousand and ten pounds of good Sound well conditioned merchantable leafe tobacco in caske upon the tenth day of November now next ensueing the date abovewritten in some convenient place upon the Clifts abovesaid without any fraud or further delay that then this present abovewritten Obligation shall be void and of none effect otherwise to stand and remaine in full force Strenght and Virtue. which being read and heard the Said John prayeth liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him the same day is given to both parties.

Now here at this day to witt the 14th day of October in the 43th yeare of his Lop̄ps Dominion &c Came the said Walter and John by their Attornyes and the Said John Saith Nothing in barr of the action aforesaid of him the Said Walter Therefore it is considered by the Court here that the said Walter Carr recover against the said John Russell aswell the Sum̃e of nine thousand and ten pounds of tobacco the debt aforesaid as also the sum̃e of Seven hundred fifty nine pounds of tobacco for his costs and charges in this behalfe laid Out. and the said John in mercy &c.

Daniel Jenifer
agt
John Cheyney & ux

John Cheyney and Jane his wife administratrix of the goods and Chattells rights and Creditts of Henry Hough her late husband deceased were Sumōned to answer unto Daniel Jenifer in a plea that they render unto him 4000 ℔ of tob̄ which from him they unjustly deteine. Liber M M

And whereupon the said Daniel by Robert Carvile his Attorny Saith that whereas the said Henry by the name of Henry Hough of Calvert County in the Province of Maryland Chirurgeon upon the 29th day of August in the 39th yeare of the Dominion of Caecilius & Annoqȝ Dom̄: 1670 by his certaine writeing Obligatory Sealed with the Seale of him the Said Henry and here in Court produced p. 246 whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to Owe and Stand indebted unto the said Daniel the full and just Sum̄e of foure thousand pounds of good Sound merchantable tobacco & caske to be paid to the said Daniel in Some convenient place or places in Calvert County before or upon the tenth day of November which should be in the yeare of Our Lord 1671 To the which payment well and truly to be made he the said Henry did bind himselfe his heirs and executors firmly by those presents Yet notwithstanding the said Henry in his Life tyme nor the said Jane Since the death of the Said Henry to whom admcōn of all and Singular the goods and Chattels rights & Creditts that were his the said Henryes at the tyme of his death were by the Honble Philip Calvert Esqȝ Cheife judge for probate of Wills and granting of administrations within the said Province in due forme of Law com̄itted whilst the Said Jane was Sole nor the said John Cheney and Jane his wife Since their intermarriage have Satisffied and paid the said Sum̄e of 4000li of tobacco to him the Said Daniel according to the said writeing Obligatory though often thereunto requested But the Said John Cheyney and Jane his wife have hitherto denyed and refused to pay the same & the same Still to pay doe deny and refuse to the damage of the said Daniel 6000 ℔ tobacco & thereupon he bringeth his suite &c.

And the Said John and Jane by George Parker their Attorney come and defend the force and injury when &c and pray liberty of Speakeing hereunto untill the next Provinciall Court. and it is granted unto them the same day is given to the Said Daniel

Now here at this day to witt the 16th day of October in the 43th yeare of the Dominion of Caecilius &c came the said Daniel by Robert Carvile his Attorny and Offered himselfe against the Said John and Jane but the said John and Jane came not but made default Therefore it is considered by the Court here that the said Daniel recover against the said John Cheney and Jane his wife admrx of the Said Henry Hough of the estate of the Said Henry aswell the said Summe of foure thousand pounds of tobacc̄o the

Liber M M debt aforesaid as also the Summe of five hundred Sixty Seaven pounds of tobacco for his costs and charges in this behalfe laid Out.

Daniel Jenifer
agt
John Pott

John Pott late of Calvert County otherwise called John Pott of the County of Calvert was Sum̄oned to answer unto Daniel Jenifer Gent of a plea that he render unto him the sum̄e of Seaven hundred forty two pounds of tobacco which to him he Oweth and unjustly deteineth

And whereupon the Said Daniel by Robert Carvile his Attorny Saith that whereas the said John upon the 15th day of December in the 36th yeare of the Dominion & Caecilius &c Annoqꝫ Dom̄ 1668 by his certaine writeing Obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day and yeare aforesaid did confesse and acknowledge himselfe holden & firmly bounden to the Said Daniel in the full and just Summe or quantity of 742 ℔ pounds of good Sound merchantable tobacco in caske being for accomodations received at his house to be paid to the said Daniel upon demand Yet the said John the said Summe of 742 ℔ tob̄ to him the said Daniel according to the Said writeing Obligatory though thereunto often requested hath not hitherto paid but the same as yet to pay doth deny and refuse to the damage of the said Daniel 1200 ℔ tob̄ and thereupon he bringeth his Suite.

And the Said John Pott by Thomas Bland his Attorny doth come & defend the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court and it is granted him the Same day is given to both parties.

p. 247 Now here at this day to witt the Sixtenth day of October in the 43th yeare of the Dominion of Caecilius &c came the Said Daniel by Robert Carvile his Attorny and offered himselfe against the said John in the plea aforesaid but the Said John came not but made default. Therefore it is considered by the Court here that the Said Daniel Jenifer recover against the said John Pott aswell the Summe of Seaven hundred forty two pounds of tobacco the debt aforesaid as also the sum̄e of five hundred Sixty Seaven pounds of tobacco for his costs and charges in that behalfe laid Out and expended and the Said John in mercy.

Benjamin Rozer
agt
Thomas Witter

Thomas Witter late of Charles County Planter was attached to answer unto Benjamin Rozer Gent One of the Attornyes of the Provinciall Court according to the liberties and priviledges &c used and allowed of a plea wherefore by force and armes the close and tobacco house of him the said Benjamin at Portobacco in Charles County aforesaid he did breake and two hogesheads of tobacco in the Said Tobacco house lyeing of the price of Six pounds of the goods of the Said Benjamin did take away and Sell and the monyes thereof comeing did convert to his owne use to the great damage of the Said Benj^{a} and against the Peace &c. Liber M M

And whereupon the Said Benjamin in his proper person complaineth that the aforesaid Thomas the Sixtenth day of April in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1674 by force and armes the Close and tobacco house of him the Said Benjamin at Portobacco in Charles County aforesaid he did breake and two h̄d̄d̄s of tobacco of the said Benjamins in the Said tobacco house lyeing marked **B** numbred 5 & 6 and conteinying eight hundred and eighty pounds of tobacco of the price of Six pounds Sterling did take away and Sell and the monyes thereof comeing to his owne use did convert and other enormityes to him did then & there doe to the damage of the Said Benjamin three thousand pounds of tobacco & ag^{t} the Peace &c and thereupon he bringeth his Suite.

And the Said Thomas by Robert Carvile his Attorny cometh & defendeth the force and injury when &c and Saith he is in no wise guilty of the trespas above against him complained off and of this he putts himselfe upon the Country and the Said Benjamin likewise therefore it is Com̄anded the Sheriff of S^{t} Maries County that he cause to come here twelve &c who neither &c to recognize &c because aswell &c.

Att which day to witt the Sixtenth day of October in the 43th yeare of his Lop̄ps Dominion &c came the Said Benjamin by Robert Ridgely his Attorny and the Said Thomas Witter by Robert Carvile his Attorny and the jurors of that jury likewise came to witt John Wright Cornelius Corneil Joseph Alvey Curtis ffletcher John Barnes, John Askin John Ingram John Waters John Wells George Godfry W^{m} Keene and Thomas Evans who being impannelled Sumoned and Sworne to Speake the truth in the p^{r}misses upon their Oathes doe Say that they find for the defendant Therefore it is considered by the Court here that a non suite be awarded against the plaintiff and that the def^{t} recover against the plaintiff the Sum̄e of nineteen hundred Seventy nine pounds of tobacco for his costs and charges in this behalfe Susteined and the Said Benjamin in mercy for his false claime.

James Nutthall
ag^{t}
Marke Cordea

It was Comanded the Sheriff of S^{t} Maries County that he cause to come here twelve good and lawfull men of this Province to enquire what damages the said James hath susteined by Occasion of a certaine by him the said Marke Cordea done & com̄itted by unjust deteineing of One negroe man whereof he is convict p. 248

Now here at this day to witt the sixtenth day of October in the 43th yeare of his Lop̄ps Dominion &c came the said James by Kenelm

Liber M M Cheseldyn his Attorny and the said Marke Cordea by Robert Carvile his Attorny and the jurors of that jury likewise came to witt John Wright Philip Lynes Cornelius Corneil Joseph Alvey Curtis ffetcher John Barnes Jno Askin John Ingram John Hartwell John Waghop John Waters and John Wells who being impannelled sumoned and sworne to say the truth in the premisses upon their Oathes doe say that they find for the plaintiff three thousand pounds of tobacco damage therefore it is considered by the Court here that the said James recover against the said Marke Cordea the said sum̄e of three thousand pounds of tobacco damages with costs of Suite.

Lord Proprietary
agt } Continued untill next Court.
Luke Barbier

John Waghop being impannelled sumoned and sworne upon the writt of enquiry of damages betweene James Nutthall plaintiff & Marke Cordea deft and not being present at the delivery of the verdict fined 500 ƚ tob̄. fine 500ƚ tob

Walter Rowles
agt
Owen Howell

Owen Howel late of St Maries County otherwise called Owen Howel of St Maries County in the Province of Maryland Cooper was sumoned to answer unto Walter Rowles of a plea that he render unto him One thousand and twelve pounds of tobacco & caske which to him he oweth & unjustly deteineth

And whereupon the said Walter by Mathew Warde his Attorny saith that whereas the said Owen upon the tenth day of June One thousand six hundred and seventy by his certaine bill in writeing sealed with the seale of the said Owen and delivered as his act and deed to the use of the said Walter & here in Court produced whose date is the same day & yeare aforesaid did bind himselfe his heirs executors admrs or assignes to pay or cause to be paid unto Walter Rowles of the County & Province aforesaid Taylor his heirs executors admrs or assignes or to his Attorny in his behalfe the full and just Summe of One thousand and twelve pounds of tobacco & caske according to the Act of Assembly to be paid in some convenient place in St George River at or before the tenth day of October next ensueing the date thereof Yet notwithstanding the said Owen the said sum̄e of One thousand and twelve pounds of tobacco to him the said Walter though often thereunto required according to the said bill hath not paid & contented but the same to him to pay doth altogether deny and refuse whereupon he saith he is dampnified and hath losse to the value of two thousand pounds of tobacco & thereupon he bringeth Suite

And the said Owen by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when &c and prayeth liberty of speakeing hereunto untill next Provinciall Court and it is granted him the same day is given to both parties. Liber M M

Att which day to witt the sixtenth day of October in the 43th yeare of his Lopp̄s Dominion &c came the said Walter by Mathew Warde his Attorny and offered himselfe against the said Owen in the plea aforesaid and the said Owen likewise came in his proper person and saith nothing in barr of the action aforesaid of him the said Walter Therefore it is considered by the Court here that the said Walter recover against the said Owen the said Summe of One thousand and twelve pounds of tobacco the debt aforesaid as also the summe of   pounds of tobacco for his costs and charges in this behalfe laid Out and expended. p. 249

Charles Calvert Esqꝫ
agt
Thomas Taillor Esqꝫ

Memorandum that this Court to witt the 18th day of April in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1674 came the Honble Charles Calvert Esqꝫ Cheife justice of the said Court by Robert Ridgely his Attorny and exhibiteth here into Court his certaine bill against Thomas Taillour Esqꝫ One of the justices of the said Court in a plea of trespas upon the case.

And whereupon the said Charles Calvert by Robert Ridgely his Attorny complaineth that whereas the said Thomas was indebted to the said Charles in the Sum̄e of twenty nine pounds seaven shillings sterling mony and being so indebted the said Thomas did in consideration thereof On the 12th day of April in the 41th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1673 draw One bill of exchange according to the Custome of Merchants and signed with the proper hand of the said Thomas and directed to One John Harris of London merchant for the payment of the said twenty nine pounds seven Shillings Sterling at twenty dayes Sight to the said Charles or his Order and the said Thomas did then and there assume upon himselfe and to the said Charles did faithfully promise that if the said John Harris the twenty nine pounds Seaven shillings sterling to him the said Charles or his Order should not well & truly pay according to the tenor of the said bill of Exchange that he the said Thomas would well and truly pay the same when thereunto required And the said Charles in fact saith that on the 30th day of June 1673 he did order the said bill of exchange by an indorsment On the backside thereof according to the custome of merchants under the proper hand of him the said Charles to be paid by the said John Harris unto Mr Daniel Arthur or his Order and that the said Daniel Arthur on the 29th day of the month of December Annoqꝫ Dom̄ 1673 and

Liber M M in the 25th yeare of the Reigne of Our Soveraigne Lord Charles the 2^d by the Grace of God King of England Scotland ffrance & Irland Defendour of the ffaith &c by W^m Scorey Notary and Tabellion Publique by authority of Our Said Soveraigne Lord the King admitted and Sworne dwelling in London aforesaid did Shew and exhibite the said bill of exchange abovementioned unto the said John Harris unto whom the same was directed in Person askeing him if he would pay the summe of twenty nine pounds seaven shillings sterling therein mentioned, whereupon the said M^r John Harris answered that he would not pay the said summe which being by the Said Notary heard he did Solemnly protest and doe protest by those presents at the request of the said Daniel Arthur aswell against the said Thomas Taillour Drawer of the said bill of Exchange as all others whom it did or might concerne of exchange & reexchange and of all costs damages & interests for want of paym^t of the said summe suffered and susteined and thereafter to be suffered on and susteined to be all recovered in time and place convenient all which the said W^m Scorey Notary and Tabellion publique admitted & sworne as aforesaid because he was present & did see heare and Know all the said things acted and done as they are before recited the day yeare and place aforesaid did therefore to a certaine Instrument of protest subscribe his name & putt to his wonted & accustomed p. 250 seale of Office being requested to testifie & certifie the p^rmisses which said Instrument of Protest is by the said Charles here in Court produced notwithstanding which the said Thomas little regarding his promise & assumption so as aforesaid made but plotting and fraudulently intending him the said Charles in this behalfe craftily and subtilly to deceive & defraud the said twenty nine pounds seaven shillings sterling to him the said Charles hath not paid though he hath beene often thereunto required but doth utterly refuse and deny to pay the same by which the said Charles the whole profitt gaine & advantage which he with the said twenty nine pounds seaven shillings sterling if it had beene paid to him according to the promise & assumption of the said Thomas in that behalfe made by buying selling & lawfull bargaining with the same might have had and gained is now totally lost & deprived of whereupon he saith he is the worse and hath damage to the value of One hundred pounds sterling. and thereupon he bringeth his Suite.

And the aforesaid Thomas by Robert Carvile his Attorny cometh & defendeth the force and injury when &c and prayeth heareing of the Said bill of exchange and it is read unto him he also prayeth heareing of the protest of the Said bill of exchange and it is read unto him in these words following Vizt By this Publique Instrument of Protest Bee it Knowne & manifest unto all people that On the 29th day of the month of December Anno Dom̃ 1673 & in the 25th yeare of the Reigne of Our Soveraigne Lord Charles the Second by the

Grace of God King of England Scotland ffrance and Irland Defendor of the ffaith &c Att the request of Mr Daniel Arthure of London Merchant of I Wm Scorey Notary & Tabellion Publique by authority of Our Said Soveraigen Lord the King admitted and Sworne dwelling in London aforesaid did Shew and exhibite the Originall bill of exchange whereof the Coppy is abovewritten unto Mr John Harris unto whom the Same is directed in person askeing him if he would pay the Sum̃e of twenty nine pounds Seaven Shillings Sterling therein mentioned whereupon the Said Mr John Harris answered that he would not pay the Said Sum̃e which being by me Notary heard I did Solemnly protest and doe protest by these presents at the request aforesaid aswell against Thomas Taillour Drawer of the Said bill of exchange as all others whom it doth or may concerne of exchange and reexchange & of all costs damages and interests for want of payment of the Said Summe Suffered & Susteined & hereafter to be Suffered and Susteined to be all recovered in time & place convenient Thus was this done and protested in London aforesaid in the presence of Josiah Jones and John Pakeman witnesses, which being read and heard the Said Thomas Taillour Saith nothing in barre of the action aforesaid of him the Said Charles Therefore it is considered by the Court here that the said Charles recover against the Said Thomas the Summe of twenty nine pounds Seaven Shillings the debt foresaid together with the sume of Seaven pounds Six Shillings nine pence for his damages and also the Summe of Six hundred Sixty Seaven pounds of tobacco for his Costs and charges in this behalfe laid Out and expended. Liber M M

Thomas Taylor
agt
George Parker

Memorandum That at this Court to witt the 18th day of April in the 42th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̃ 1674 Came Thomas Taylor Gent High Sheriff of the County of Dorchester by Robert Ridgely his Attorny and exhibiteth here into Court his certaine Bill against George Parker Gent One of the Attornyes of this Court in a plea of trespas upon the case p. 251

And whereupon the Said Thomas Taylor by Robert Ridgely his Attorny Saith that whereas the Said Thomas is & alwayes hath been a true and faithfull man to the Right Honble the Lord Proprietary and as a true and faithfull man unto his Said Lop̃p without any crime of falsity deceipt extortion perjury or of any other hurtfull crime from the time of his comeing this Province hitherto he hath governed & behaved himselfe & of Such unblemished honesty & conversation hath beene reputed & taken amongst all the Inhabitants of this Province unspotted of any wicked Crime of falsity deceipt extortion Ꝑjury or of any hurtfull Crime whatsoever & So for the whole time aforesaid was reputed as also with the Said Lord Proprietary was So taken & adjudged & thereupon in divers weighty

Liber M M and difficult buisnesses of the Said Lord Proprietary was used &
imployed in And the Said Lord Proprietary reposeing especiall trust
& confidence in the honesty faithfulnesse & integrety of him the Said
Thomas on the first day of May in the 41th yeare of the Dominion
of his Said Lop̄p Annoq̧ Dom̄ 1673 by his Com̄ission under the
Lesser Seale of the Said Province did constitute & appoint the Said
Thomas to be High-Sheriff of his Lop̄ps Said County of Dorchester
& the Said Thomas was duly Sworne for the true & just execution
of the Said Office & the Same day gave bond to the Said Lord Proprietary
in the Sum̄e of two hundred thousand pounds of tobacco
for the true & just execution thereof in all things that appurteined
to the Said Office of Sheriff of the Said County of Dorchester according
to the best of his Skill power & Knowledge By virtue of
which Said Com̄ission from his Said Lop̄p to him the Said Thomas
to be High Sheriff of the Said County of Dorchester & the Said
Thomas being duly Sworne & giveing bond as aforesaid the Said
Thomas the first day of May in the yeare aforesaid did begin to
execute the Said Office of Sheriff of the Said County of Dorchester
and in the Same Office by the Grace and favour of the Said Lord
Proprietary to this day hath continued & hath duly executed all
proces warrants & writts & hath done & performed all other matters
to the Said Office of Sheriff appurteineing in the Said County of
Dorchester honestly & faithfully & according to the best of his Skill
power & Knowledge & according to his Oath in y^{t} behalfe taken,
& his bond to the Said Lord Proprietary given as aforesaid & also
the Said Thomas by reason of his honest & faithfull dischargeing
of the Said Office with his Excellency Charles Calvert Cap^{t} Gen^{ll} &
Cheife Governour of this Province & also with all the Councellors &
justices of the Said Lord Proprietary within this Province & also
with all the great & eminent persons within this Province & with
all other the Inhabitants of this Province whatsoever State or condition
for the whole time aforesd as Such a true & faithfull man
to the Said Lord Proprietary as is aforesaid from whatsoever crime
of falsity deceipt perjury extortion or bribery in the execution of
his Said Office hath beene accepted & taken to be unspotted & untouched
Yet the aforesaid George Parker not ignorant of the premisses
& designing to take away the good name fame & reputacōn
of him the Said Thomas as also to bring him within the danger of
forfeiting his said bond of two hundred thousand pounds of tobacco
So passed as aforesaid by him the said Thomas to the Said Lord
Proprietary for the true & faithfull execution of the Office of Sheriff
of the County of Dorchester aforesaid & also to bring him the said
Thomas in the Opinion of the Said Cap^{t} Generall Councellours &
p. 252 justices & all other the great & eminent Persons of this Province
and with all other the Inhabitants of the Said Province to be a
perjured person, a retarder of justice, a taker of Bribes, to delay

the execution of his Office, the Said George of his owne Ꝑverse malitious & wicked will plotting and contriveing him the Said Thomas of Such his creditt, estate, honesty, & reputation to deprave & also to bring him the Said Thomas within the danger of forfeiting his Said bond & looseing of his Office aforesaid Att a Provinciall Court of the Said Lord Proprietary held at the Citty of St Maries the 15th day of April in the 42th yeare of the Dominion of his Said Lop̄p Annoq; Dom̄ 1674 before his Said Excellency the Capt Generall Cheife justice of the Said Court & other his Associates justices of the Said Court the Said George falsely, malitiously Subtilly and wickedly in the Open Court of the Said Lord Proprietary in the presence and heareing of the Said Capt Generall & cheife justice of the Said Court & others his Associates justices of the Said Court & of other Officers & Ministers of the Said Court & also in the presence & heareing of a great multitude of the Inhabitants of the Said Province at the said Provinciall Court being present attending the Said Court of the Said Lord Proprietary about their Severall affaires these false Scandalous words of the Said Thomas the Said George (with a loud & audible Voice) did Speake pronounce publish & declare to wit That to his Knowledge (meaneing the Knowledge of the Said George) Severall writts (meaning Severall writts Sealed with the Seale of the Said Lord Proprietary and to the Said Thomas directed as he was his Said Lop̄ps Sheriff of his Said County of Dorchester) came to Mr Taylors hands (meaning to the hands & possession of the Said Thomas Taylor in due time) which he (meaning him the Said Thomas) might have Served, & he (meaning him the Said Thomas) refused it (meaning he refused & delayed to execute them) By reason of which Said false Scandalous & malitious words the Said Thomas is not only much greived, troubled vexed & perplext in his mind but also is brought in danger of forfeiting the Said bond So entred into for the true & faithfull execution of the Said Office of Sheriff of the Said County as aforesaid but also the Said Thomas is brought into Very great distrust & infamy aswell with the Said Lord Proprietary & his Capt Genll & Councill aforesaid as with all other the justices Officers & great & eminent persons within this Province & with all other the Inhabitants of this Province To the damage of him the Said Thomas two hundred thousand pounds of tobacco & thereupon he bringeth his Suite.

Liber M M

And the Said George by Kenelm Cheseldyn his Attorny doth come and defend the force & injury when &c and Saith he is not guilty of the premisses in manner & forme as the Said Thomas above in his declaration hath declared against him & of this he putts himselfe upon the Country.

Now here at this day to witt the 16th day of October in the 43th yeare of his Lop̄ps Dominion &c Came the Said George by his Attorney to defend the force & injury aforesaid but the Said Thomas

Liber M M to prosecute the plaint aforesaid came not Therefore it is considered by the Court here that a non suite be awarded against him and that the Said George recover against the Said Thomas the summe of Six hundred forty two pounds of tobacco for his costs & charges in this behalfe laid Out and expended and the Said Thomas in mercy.

p. 253 Walter Tucker & Comp^a pl̄ts
ag^t W^m Dunkerton def^t
Walter Tucker & Comp^a &
Samuel Tucker
ag^t
W^m Dunkerton
Richard Hallett
ag^t
W^m Dunkerton

Comānd was given to the Sheriff of Cecil County y^t he take W^m Dunkerton late of Cecil County & him Safely Keepe So that he have his body before the justices of the Provinciall Court to be held at the Citty of S^t Maries the thirtenth day of October instant to render unto the Said Walter Tucker & Comp^a merch^{ts} pl̄ts as also unto the Said Walter Tucker & Comp^a and Samuel Tucker merchants plaintiffs and likewise to the Said Richard Hallett merch^t plaintiff his reasonable accomp^t to the Said Severall compl̄ts of the time in which he was receiver of the goods tobaccoes merchandizes bills accompt and writeings of them the Said Walter Tucker and Comp^a & Walter Tucker & Comp^a and Samuel Tucker as also of the Said Richard which to them to render he ought. Now here at this day to witt the 13th day of October in the 43th yeare of his Lōpps Dominion &c came the said Walter Tucker & Comp^a and Walter Tucker and Comp^a & Samuel Tucker and the Said Richard Hallett by Robert Carvile their Attorny as also the Said William Dunkerton by Nathaniel Stiles High Sheriff of Cecil County brought here into Court and the Said William by Robert Ridgely his Attorny Offered himselfe ready to accompt with the said Severall Complaints for Such goods merchandizes debts bills tobaccoes & writeings as he the said W^m had any wayes received & desired tyme to putt in his Severall pleas to the Severall declarations of the Said Complaints and thereupon day was given to the Said W^m Dunkerton till the p^{r}sent day and the same day is given to the Severall Compl̄ts Att which day came aswell the Said Severall Compl̄ts as the Said W^m Dunkerton by their severall Attornyes aforesaid and the Said W^m Dunkerton putt in his severall pleas to the Said Several declarations and as to that action comenced against him by the Said Walter Tucker and Comp^a he Saith that as to five hundred ninty two pounds eleven shillings nine pence Sterling & Six iron potts he did not deny but that he was receiver of the same and was ready to accompt for the same but as to 31 £ 19^s 6^d residue of the goods & merchandize in the said declaration mentioned the said W^m Saith that he never was receiver of the Same goods and merchandizes and Ought not to accompt for the same and to the other two actions comenced against him by Walter Tucker & Compª & Samuel Tucker and Richard Hallett he did not deny but that he was receiver of the Severall goods merchandizes tobaccoes bills accompts & writeings in the Said declarations mentioned & that he was ready to accompt for the Same And the Attorny of the Said Walter Tucker & Compª being willing to admitt & allow of the Said Wᵐ Dunkertons plea as to that part of the 31 £ 19ˢ 6ᵈ for the price of the invoyce of the Said goods mentioned and not mentioned in the packing booke nor received by the Said William Dunkerton as he pretended Save Only One peice of Kersey Valued at about 4 £ 10ˢ which is mentioned in the said packing booke to be received by the Said Wᵐ Dunkerton and yet by him pretended not to be received which the Said Compl̄ts Attorny would not allow of unlesse the said Wᵐ Dunkerton could make it appeare before the Auditors hereafter named by Sufficient proofe to be allowed off by the Said Auditors that he never received the same being part of the said 31 £ 19ˢ 6ᵈ It is by this Court Ordered in the pʳsence and by the consent of the parties of both Sides by their Attornyes That Nathaniel Vty Esq and John Gilbert merchant be and are hereby appointed Auditors to audite State & examine the Severall accompts betweene the Said Severall Compl̄ts and the defendant Dunkerton and which to the Complts the Said Dunkerton to render ought and that the Said Auditors doe meet at Such day and place in the Said County of Baltemore or Caecil County as they Shall thinke meete off which first day of meeting convenient notice is by the Said Auditoʳˢ under their hands to be given unto Mʳ Thomas Howell &Mʳ John Vanheck Attornyes of the Said Compl̄ts who are before the Said Vtye to prove their letter of Attorny from Smith and also to the defᵗ Wᵐ Dunkerton that they may be then and there present with their evidence & witnesses (if any they have) the better to cleare the accompt in question, at which Said day and place the Said parties before named upon notice given as aforesaid are to attend the Said Auditors and So doe attend from day to day untill the Said accompt Shalbe fully Stated by the Said Auditors. And the Said Auditors for their better proceedings herein are to be armed with a Com̄ission to examine wittnesses & to administer Oathes to any wittnesses yᵗ shall be produced before them on either part and when the Said auditors haue fully audited & stated the Said accompt betweene the Said parties they are hereby Ordered to returne their full and whole proceedings herein to Our justices of Our Provinciall Court in writeing closed up under their hands and Seales without delay. Liber M M p. 254

October 28ᵗʰ 1674.

Com̄issˢ then issued to Nathaniel Vty Esq and John Gilbert to audite State & examine the accompts of the parties abovesaid in pursuance of the abovesaid Order.

Maryland ss.

Liber M M Whereas I W^m^ Dunkerton of Caecil County am this Court impleaded in three severall actions of accompt at the Suite of Walter Tucker and Comp^a^ and at the Suite of Walter Tucker & Comp^a^ and Samuel Tucker and at the Suite of Richard Hallett I doe hereby impower and authorize my loveing freind Robert Ridgely One of the Attornyes of the Provinciall Court to appeare for me in the Said Severall actions and as my Attorny to pleade to the same as to him shall Seeme meet and for his proceedings herein this Shall be his warrant Wittnes my hand & seale the 13th day of October 1674.

Wittnes W^m^ Dunkerton (Seale.)

Peter Eure
Kenelm Cheseldyn.

Charles Calvert Esq₃ ag^t^ ffrancis Lovelace & Thomas Long } ffrancis Lovelace late of New Yorke Gent otherwise called ffrancis Lovelace late of Baltemore County in the Province of Maryland merchant & Thomas Long late of Baltemore County Gent otherwise called Thomas Long of the County of Baltemore in the Province of Maryland merchant were Sumōned to answer to his Excellency Charles Calvert Governour of Maryland & cheife justice of the Provinciall Court according to the liberties &c allowed of a plea that they render unto him the full and just Summe of two hundred pounds Sterling lawfull mony of England which to him they Owe & unjustly deteine.

p. 255 And whereupon the Said Charles Calvert by Robert Ridgely his Attorny Saith that whereas the Said ffrancis and Thomas the eleventh day of June in the 41th yeare of the Dominion of Caecilius &c Annoq₃ Dom̃ 1673 did by their certaine writeing Obligatory Sealed with the Seales of them the said ffrancis & Thomas & here in Court produced whose date is the day and yeare abovesaid acknowledge themselves to be holden and firmly bound unto his said Excellency Charles Calvert Governour of Maryland in the full and just Summe of two hundred pounds Sterling mony of England to be paid to the Said Charles Calvert or to his certaine Attorny his heirs executors adm^rs^ or assignes To the which payment well & truly to be made the said ffrancis and Thomas did bind themselves & either of them by himselfe their & either of their heirs executors & adm^rs^ for the whole & in the whole joyntly & Severally firmly by those presents Notwithstanding which the said ffrancis & Thomas or either of them the said Sum̃e of two hundred pounds Sterling to him the Said Charles Calvert according to the said writeing Obligatory hath not paid though often thereunto required but the same to pay hath refused & Still doe refuse & deny to the damage of the Said Charles One hundred pounds Sterling & thereupon he bringeth his Suite.

And the aforesaid ffrancis and Thomas by Robert Carvile their

Attorny come and defend the force and injury when &c & pray heareing of the writeing Obligatory aforesaid and it is read unto them they pray also the heareing of the Condition of the said writeing and it is read unto them in these words following Vizt The Condition of this Obligation is Such that whereas the above bounden ffrancis Lovelace hath this day drawne by exchange on M^r^ Samuel Sedgewick & M^r^ Robert Wolley foure bills of exchange for twenty eight pounds & Six pence Sterling all of One tenor & date payable at fourteene dayes Sight payable unto the abovenamed Charles Calvert or his Order If therefore the Said Samuel Sedgwick & Robert Wolley shall well & truly pay the Said bills according to the tenor thereof without fraud or delay then this Obligation to be Void & of none effect otherwise to Stand and be in full force. Liber M M

And the aforesaid ffrancis and Thomas Say nothing in barre or avoydance of the aforesaid action of the aforesaid Charles by which the Said Charles remaineth against the Said ffrancis & Thomas thereupon wholly undefended Therefore it is considered by the Court here that the Said Charles recover against the Said ffrancis & Thomas aswell the Summe of twenty eight pounds Six pence Sterling his debt aforesaid as also the Summe of Seaven pounds One Shilling Six pence Sterling damages by reason of the deteineing of the same debt by him Susteined as also the Sume of Six hundred eighty Seaven pounds of tobacco for his costs and Charges in this behalfe expended and the Said ffrancis & Thomas in mercy.

And the said ffrancis and Thomas by their Attorny alleidging that by reason of the Scarsity of mony Sterling in this Province they could not procure ready mony to Satisffie the said judgment being in all thirty five pounds Seven Shillings Six pence Sterling besides the costs of Suite but offering to make payment thereof in tobacco at Such reasonable rates and prices as this Court should Order & allow of and the Said Charles as also the said ffrancis & Thomas putting themselves upon the judgm^t of the Court to value & sett the price of tobacco ℔ pound in mony Sterling This Court doth Order that the Said ffrancis Lovelace and Thomas Long doe make Satisfaction to the Said Charles for the said judgment for the Said thirty five pounds Seven shillings Six pence Sterling in tobacco at One peny ℔ pound which amounts unto the summe of eight thousand foure hundred & ninty pounds of tobacco at One penny Sterling ℔ pound to which adde the Six hundred eighty Seven pounds adjudged to the Said Charles for his costs the Summe in the whole amounts unto the Summe of nine thousand One hundred Seventy Seaven pounds of tobacco which said Summe of nine thousand One hundred Seventy Seaven pounds of tobacco this Court Orders the Said ffrancis Lovelace and Thomas Long forthwith to pay & satisfie to the Said Charles Calvert or his Order accordingly. p. 256

Liber M M

Thomas Carleton
agt
John Hall and
Robert Morgan

the defts by Kenelm Cheseldyn their Attorny appeare & continued untill next Court.

Josias ffendall
agt
John Allen
Jno Beamont
agt
John Allen

the deft by Kenelm Cheseldyn his Attorny appeares & imparles untill next Court.

Edmund Hirchman
agt
Samuel Hatton

the deft by Kenelm Cheseldyn his Attorny appeares & imples untill next Court.

Daniel Jenifer
agt
Wm Smith

Wm Smith late of Talbott County otherwise called Wm Smith of Talbott County in the Province of Maryland Planter was Sumoned to answer unto Daniel Jenifer in a plea that he render unto him Seven hundred pounds of tobacco which to him he oweth & unjustly deteineth

And whereupon the said Daniel by Robert Carvile his Attorny Saith that whereas the Said William Smith upon the 13th day of December in the yeare of Our Lord 1672 by his certaine bill or writeing Obligatory Sealed with the Seale of him the said Wm and here in Court produced whose date is the day and yeare abovesaid did confesse himselfe to owe & Stand indebted unto the said Daniel in the full & just Summe or quantity of Seven hundred pounds of good Sound merchantable tobacco in caske to be paid to the said Daniel before or upon the tenth day of October next ensueing the date of the Said bill Yet notwithstanding the said Wm the Said Summe of Seven hundred pounds of tobacco to him the Said Daniel though often thereunto requested hath not paid but the Same to him to pay hath denyed and Still doth deny whereupon the Said Daniel Saith he is dampnified & hath losse to the value of One thousand pounds of tobacco & thereupon he bringeth his Suite

And the said William by Vincent Lowe his Attorny cometh & defendeth the force and injury when &c and Saith nothing in barr of the action aforesaid of the said Daniel by which the Said Daniel remaineth against the said Wm thereof undefended Therefore it is considered by the Court here that the said Daniel recover against the said William Smith the Summe of Seaven hundred pounds of
p. 257 tob. the debt aforesaid as also the Summe of foure hundred eighty Seaven pounds of tobacco for his cost and charges in this behalfe laid Out & expended & the Said William in mercy.

Robert Carvile ag^{t} ffrancis Kilborne	the Sheriff of Charles County haveing returned a Cepi & the def^{t} not appeareing Ordered y^{t} unlesse the def^{t} appeare next Court the Said Sheriff to be amerced Liber M M
Daniel Jenifer ag^{t} John Manning	the def^{t} appeares by Kenelm Cheseldyn his Attorny & imparles untill next Court.
John Waterton ag^{t} Jn^{o} Desjardine	the def^{t} by Robert Carvile his Attorny appeares & imparles untill next Court.
John Ascomb ag^{t} Richard Meekins the Same ag^{t} the Same	the Sheriff of Dorchester County haveing returned a Cepi. these 2 causes continued untill next Court.
Edward Savage ag^{t} John Clements	the def^{t} appeares by John Rousby his Attorny and imparles untill next Court
Jn^{o} Clements ag^{t} James Clayland	the def^{t} appeares by Mathew Warde his Attorny & imparles untill next Court.
John Moll ag^{t} Henry Brayne George Robbins ag^{t} Henry Brayne	the def^{t} appeares by Robert Carvile his Attorny & imparles until next Court.
Robert Edmunds ag^{t} Richard Bayly	the def^{t} by Kenelm Cheseldyn his Attorny appeares & imparles untill next Court.

Thomas Taillour Esqꝫ ag^{t} Andrew Hunt

Andrew Hunt late of Calvert County merchant otherwise called Andrew Hunt of the Towne & County of Southhampton in the Kingdome of England merchant was Sum̄oned to answer unto Thomas Taillour of Ann Arrundel[l] County in the Said Province of Maryland Esqꝫ of a plea that he render unto him the full Summe of fifty eight pounds and fourteene shillings which he oweth and unjustly deteineth.

And whereupon the Said Thomas Taillour by George Parker his Attorny Saith that whereas the said Andrew Hunt upon the Sixth day of May Annoqꝫ Dom̄ One thousand Six hundred Seventy and p. 258
three in the One & fortith yeare of the Dominion of Caecilius &c was

held and firmly bound to Thomas Taillor of An Arrundell County in the Province of Maryland Esqꝫ in the full Summe of fifty eight pounds and fourteene Shillings of good and lawfull mony of England to be paid to the Said Thomas Taillor or to his certaine Attorny his executors admrs or assignes To which payment well & truly to be made and done he the Said Andrew Hunt did bind himselfe his heirs executors & admrs firmly by those prsents Notwithstanding which the Said Andrew Hunt though often thereunto required the Said Summe of fifty eight pounds fourteene Shillings hath not paid according to the tenor of the Said writeing but the same to him to pay altogether denyes whereupon he Saith he his dampnified and hath losse to the value of three score pounds of good and lawfull mony of England and thereupon he bringeth his Suite.

And the aforesaid Andrew by his Attorny doth come & defend the force and injury when &c and prayeth heareing of the writeing aforesaid & it is read unto him he prayeth also heareing of the Condition of the Said writeing and it is read unto him in these words following whereas the abovenamed Thomas Taillor at the Speciall instance and request of the above named Andrew Hunt hath given a bill of exchange under the hand of the Said Thomas Taylor unto the Governour of Maryland for the use of the right honble Lord Proprietary of the Province of Maryland aforesaid charged upon One John Harris of London merchant for the payment of the summe of twenty nine pounds and Seven Shillings for the use aforesaid now the condition of this present Obligation is Such that if the abovebounden Andrew Hunt his heirs executrs admrs & assignes & every of them Shall and doe well & truly pay or cause to be paid unto the abovenamed Thomas Taylor or to his certaine Attorny his executrs admrs or assignes the Said Summe of twenty nine pounds and Seaven shillings if the Said Summe be not paid by Virtue of the Said bill of exchange and also shall & will from tyme to time & at all tymes hereafter Save defend and Keepe harmlesse & indempnified the said Thomas Taylor his heirs executors administrators & assignes and his & their lands goods and Chattells of & from all & all mannor of arrests Suits troubles and molestations whatsoever of & concerning the payment of the said bill of exchange That then this present abovewritten Obligation shall be Void and of none effect otherwise to stand and remaine in full force Strenght and Virtue

Now here at this day to witt the 16th day of October in the 43th yeare of his Lo̅pps Dominion &c the same Sheriff of Calvert County returnes to the Court here that the Said Andrew Hunt is not found in his Bailiwick whereupon the said Thomas Taillour prayed attachment against the goods Chattells and creditts of the said Andrew according to Act of Assembly in that case made and provided and it is granted unto him.

Liber M M

Jonathan Squire &c
ag^t
Tobias Wells &c

the def^t by Robert Carvile his Attorny appeares & imples untill next Court.

p. 259

John Coade & ux
ag^t
Justinian Gerrard
the Same and ux
ag^t
the Same

the def^t by Robert Ridgely his Attorny appeares and imparles untill next Court.

Charles Delaroch
ag^t
Tobias Wells &c

the def^t by Robert Carvile his Attorny appeares & imp̄le untill next Court.

John Gilbert
ag^t
John Ingram

the def^t appeares by Mathew Warde his Attorny and imparle untill next Court.

Samuel Cressey
ag^t
Richard Boughton

the def^t appeares by Robert Carvile his Attorny & imparle untill next Court.

John Balley
ag^t
Richard Bayly

the def^t appeares by Kenelm Cheseldyn his Attorny & imparles untill next Court.

Garrett Vansweringen
ag^t
Thomas Lomax

the def^t appeares by Robert Carvile his Attorny & imparle untill next Court.

Garrett Vansweringen &
John Quigley
ag^t
Evan Carrew

the Sheriff of S^t Maries County haveing returned a Cepi the def^t not appeareing Ordered the Said Sheriff be amerced unlesse &c.

Ralph Dawson
ag^t
James Clayland

the def^t appeares by Mathew Warde his Attorny & imparles untill next Court.

Vincent Lowe
ag^t
W^m Burges

the def^t appeares by Robert Carvile his Attorny and imparle untill next Court.

Vincent Lowe
ag^t
Kenelm Cheseldyn

the def^t appeares & imparles untill next Court.

Jeremiah Eaton
ag^t
Thomas Philipps

the Sheriff of Talbott County haveing returned a Cepi & the def^t not appeareing the Said Sheriff amerced unless &c

Jonathan Squire adm^r
Jn^o Morecroft
ag^t
Richard Bayly and
ffrancis Swinfen

Richard Bayly and ffrancis Swinfen late of Calvert County planters were Sum̄oned to answer unto Jonathan Squire administrator of the goods and Chattells of John Morecroft deceased in a plea that they render unto him the Summe of Sixteene hundred pounds of tobacco which from him they unjustly deteine.

And whereupon the said Jonathan by Kenelm Cheseldyn his Attorny Saith that whereas the Said Richard Bayly and ffrancis
p. 260 Swinfen the twelfth day of April in the yeare 1672 by their certaine writeing Obligatory Sealed with the Seale of them the Said Richard Bayly and ffrancis Swinfen here in Court produced whose date is the Same day and yeare abovewritten did confesse themselves to Owe & Stand indebted unto the Said John Morecroft in his life time of the Citty of S^{t} Maries Gent the Summe of Sixteene hundred pounds of good Sound merchantable leafe tobacco & caske to be paid to the Said John Morecroft his heirs executors adm^{rs} or assignes On or before the 10th day of October next ensueing the date thereof to the true performance of which payment they did bind themselves their heirs executors adm^{rs} & assignes Notwithstanding w^{ch} the Said Richard and ffrancis the Said Summe of Sixteene hundred pounds of tobacco to him the Said John while he was liveing hath not paid nor to the Said Jonathan Since his death to whom administration of all and Singular the goods and chattells which were the Said John at the time of his death after his death to him committed hath not paid though often thereunto required but the same to pay hitherto hath & still doth altogether deny to the damage of the Said Jonathan 2000 ł tob̄ & thereupon he bringeth his Suite.

And the Said Jonathan also bringeth here in Court the letters of adm̄con to him granted of all and Singular the goods and Chattells which were the Said John at the time of his death Since his death committed that it may appeare to the Court here that he is administrator of the said John and thereupon to have administration.

And the Said ffrancis in his proper person cometh and defendeth the force & injury when &c and Saith nothing in barre or avoidance of the action aforesaid of him the Said Jonathan whereby the Said Jonathan remaineth against the Said ffrancis thereupon undefended Therefore it is considered by the Court that the Said Jonathan recover against the Said ffrancis the Said Summe of Sixteene hundred pounds of tobacco the debt aforesaid as also the Summe of five hundred and twelve pounds of tobacco for his costs & charges in that behalfe laid Out and expended.

Jonathan Squire adm^{r} Jn^{o} Morecroft ag^{t} ffrancis Swinfen	ffrancis Swinfen late of Calvert County otherwise called ffrancis Swinfen of Calvert County was Sum̄oned to answer unto Jonathan Squire administrator of the goods and chattels of John Morecroft deceased in a plea that he render unto him the Summe of One-thousand two hundred of tobacco which from him he unjustly deteineth.

Liber M M

And whereupon the Said Jonathan by Kenelm Cheseldyn his Attorny Saith that whereas the Said ffrancis the twelfth day of December in the yeare of Our Lord One thousand Six hundred Seventy two by his certaine writeing Obligatory Sealed with the Seale of the Said ffrancis here in Court produced whose date is the Same day and yeare abovewritten did acknowledge himselfe to Owe and Stand indebted unto John Morecroft of the Citty of S^t Maries Gent in the full and just Summe of One thousand two hundred pounds of good Sound merchantable tobacco in caske to be paid in Some convenient place in Petuxent River in Calvert County upon demand unto the Said John Morecroft his heirs executors adm^{rs} or assignes To the which payment well and truly to me made he did bind himselfe his heirs executors adm^{rs} firmly by those presents Notwithstanding which the said ffrancis the Said Summe of One thousand two hundred pounds of tobacco according to the tenor of his Said writeing Obligatory to him the Said John Morecroft in his life time hath not paid nor to the Said Jonathan Since his death to whom administration of all & Singular the goods & Chattells which were the Said John at the time of his death Since his death to him committed hath not paid though often thereunto required but the p. 261 same to him to pay hath and Still doth deny to the damage of the Said Jonathan two thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Jonathan bringeth also here in Court the letters of administration to him granted of all and Singular the goods and Chattells which were the Said John at the time of his death Since his death to him committed that it may appeare to the Court here that he is adm^r of the Said John and thereupon to have administration.

And the Said ffrancis in his Proper person cometh into Court and Saith nothing in barr or avoidance of the action aforesaid of him the Said Jonathan whereby the Said Jonathan remaineth against the Said ffrancis thereupon undefended Therefore it is considered by the Court that the Said Jonathan recover against the Said ffrancis the Said Summe of One thousand two hundred pounds of tobacco the debt aforesaid as also the Summe of five hundred and twelve pounds of tobacco for his costs of Suite in this behalfe expended and laid Out.

John Peerce
ag^t
John Coade
John Balley
ag^t
Marke Cordea

the def^{ts} by Kenelm Cheseldyn their Attorny appeare and imparle untill next Court.

Liber M M

Charles James
agt
Michael Williams — the Sheriff of Caecil County amerced unlesse the deft appeare next Court.

Charles James
agt
Tho: Dale & ux — the deft appears by Robert Carvile his Attorny & imparle untill next Court.

Richard Smith
agt
Wm Worgan — the deft appeares by Robert Carvile his Attorny & imparles untill next Court.

Walter Sencerfe
agt
Alexander Mecoter — Alexander Mecoter late of Talbott County otherwise called Alexander Mecoter in Bollingbrooke in the County of Talbott planter was Sumōned to answer unto Walter Sencerfe in a plea that he render unto him the Summe of two thousand and eighty five pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the Said Walter by Kenelm Cheseldyn his Attorny Saith that whereas the Said Alexander the 25th day of March 1672 did by his certaine writeing Obligatory Sealed with the Seale of the Said Alexander here in Court produced whose date is the day and yeare abovewritten did bind himselfe together with his heirs executors and assignes to pay unto the Said Walter Sencerfe of Dover in Old England Marriner his heirs and assignes the full and just quantity of eighteen hundred ninty five pounds of good Sound merchantable tobacco in caske to be paid in Some convenient landing in Great Choptancke at or before the tenth day of October next ensueing & whereas also the Said Alexander the 25th day of March 1672 did by his certaine other writeing Obligatory Sealed with the Seale of him the Said Alexander here in Court produced whose date is the same day and yeare abovewritten oblige himselfe his heirs p. 262 executors & assignes to pay unto the abovesaid Walter Sencerfe or his assignes One hundred and ninty pounds of good tobacco and caske to be paid at the time and place above Said Notwithstanding which the Said Alexander the Said Summe of eighteen hundred ninty five pounds of tobacco nor the Said Summe of One hundred and ninty pounds of tobacco in the whole amounting to the summe of two thousand eighty five pounds of tobacco according to the tenor of his Said Severall writeings Obligatory hath not paid though often thereunto required but the Same hitherto to pay hath and doth altogether deny to the damage of the Said Walter Sencerfe three thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Alexander in his proper person cometh here into Court and Saith nothing in barr or avoidance of the action aforesaid whereupon the Said Walter remaineth against the Said Alexander thereof undefended therefore it is considered by the Court here that the Said Walter Sencerfe recover against the Said Alexander Mecoter the Said Summe of two thousand eighty five pounds of tobacco the debt aforesaid as also the Summe of five hundred and twelve pounds of tobacco for his costs & charges in this behalfe laid Out and expended. Liber M M

Walter Sencerfe
agt
Edward Roe
The Same
agt
the Same
the deft by Robert Carville his Attorny appears and imparles untill next Court.

Henry Phippes admr
Edward Maynard
agt
John Larkin
the deft by Robert Carvile his Attorny appeares & imparles untill next Court.

Henry Phippes admr
Edward Maynard
agt
Thomas Knighton
Thomas Knighton late of Ann Arrundell County otherwise called Thomas Knighton in the County of Ann Arrundell Gent in the Province of Maryland was Sum̄oned to answer unto Henry Phippes administrators the goods and chattells of Edward Maynard deceased in a plea that he render unto him the Summe of eighteene hundred pounds of tobacco which from him he unjustly deteineth.

And whereupon the Said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the Said Thomas Knighton the 7th day of October in the yeare 1670 by his certaine writeing Obligatory Sealed with the Seale of the Said Thomas here in Court produced whose date is the same day and yeare abovewritten did acknowledge himselfe to Owe and Stand indebted unto Edward Maynard merchant and Comander of the good Shipp called the William of Dover now rideing at anchor in the River of Severne in the Province aforesaid the full and just Summe of eighteen hundred pounds of tobacco good Sound & merchantable in caske free from ground leaves and Seconds to be paid to the Said Edward Maynard his heirs executors administrators at or upon the tenth day of October next ensueing the date thereof for the which payment well and truly to be made he did bind himselfe his heirs executors admrs firmly by those presents Notwithstanding which the Said Thomas Knighton the said Sum̄e of eighteen hundred pounds of tobacco to him the Said Edward in his life time nor to the said Henry Since his death to whom administration of all & Singular the goods and Chattells which were the Said Edwards at the time of his death Since his death hath p. 263
bin committed hath not paid though often thereunto required but

Liber M M the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Henry three thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Henry bringeth here in Court the Letters of administracōn to him granted of all and Singular the goods and chattells which were the Said Edwards at the time of his death to him committed that it may appeare to the Court here that he is administrator of the Said Edward and thereupon to have administration

And the Said Thomas by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that he cannot gainsay the action of the aforesaid Henry because he oweth to the Said Henry as administrator of the Said Edward the Said Summe of eighteen hundred pounds of tobacco in forme as the Said Henry hath above thereof against him declared Therefore it is considered that the aforesaid Henry Should recover against the aforesaid Thomas the aforesaid eighteene hundred pounds of tobacco the debt aforesaid together with the Summe of five hundred & twelve pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said Thomas thereof in mercy.

Mr Carvile.

I pray appeare for me Thomas Knighton at the Suite of Mr Henry Phippes and confesse judgment for the Summe of eighteene hundred pounds of tobacco and for your So doeing this Shall be your warrant
Your freind & Servt,
8th October 1674,
Tho: Knighton.
Testes Kenelm Cheseldyn.

Henry Phippes admr.
Edward Maynard
agt
Thomas Turner
the Same
agt
John Beamont
the defts by Robert Carvile their Attorny appeares & imparles untill next Court.

the Same
agt
the Same & Math: Harding
the deft Beamont by Robert Carvile his Attorny comes & appeares & imparles untill next Court.

Richard Edelin
agt
James Thompson
Upon the petition of the deft that whereas he did administer upon the estate of Wm Greene of Calvert County deceased Richard Edelen became Security to John Allen (Guardian of the heire of the Said Green) that the petitioner Should give the Said Allen a true & just accompt of Such bills and other debts as Should come into

his hands as also of the appraisment of the Said estate whereupon Liber M M the Petitioner (in consideration hereof) did give to the Said Edelen a bond of twenty thousand pounds of tobacco to Keepe harmlesse the Said Edelen from the Said Allen, That the petitioner hath Severall times been at the house of the Said Allen, & tendered his accompt accordingly faire and truly drawne up, & yet could never bring the Said Allen to allow thereof, & So deliver up the bond of Security of the of the Said Edelen in Somuch that the Said Edelen (notwith- p. 264 standing he hath never beene molested or troubled or Susteined the least losse or damage by the Said Allen) hath unjustly procured a judgment of the Provinciall Court upon the petitioners bond of twenty thousand pounds of tobacco & hath also Served execution for the Same upon the body of the petitioner to his exceeding wrong prejudice and damage and thereupon prayed that his accompt may be Speedily examinded audited and allowed by this Court or by his Honour the Chancellour and that hereupon the Said Allen be constreined to deliver up his Said bond or at least that the execution may be Suspended untill Such time as by a Special Order from the Chancellour the Said Allen may be compelled to come to an accompt before his Honour to putt an end to this difference.

Whereupon it is Ordered that the Said James Thompson be Kept in the Custody of the Sheriff and that the Said John Allen be cited to accompt with the Com̃issary Generall and that he doe therein that which to justice appurteine.

John Mayo ag^{t} W^{m} Stacey & ux	the def^{ts} by Robert Ridgely their Attorny appeare & imparles untill next Court.
Andrew Higgs ag^{t} Robert Wollerton	the def^{t} by Robert Carvile his Attorny appeare & imparle untill next Court.
Henry Phippes adm^{r} Edward Maynard ag^{t} Robert Proctor	the def^{t} appeares by Thomas Bland his Attorny & imparle untill next Court.
Robert Ellis ag^{t} Henry Parker	Henry Parker late of Talbot County otherwise called Henry Parker of Talbott County in the Province of Maryland Gent was Summoned to answer unto Robert Ellis of a plea that he render unto him One thousand Six hundred pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Said Robert by Kenelm Cheseldyn his Attorny Saith that whereas the Said Henry Parker the 12th day of April in the 40th yeare of the Dominion of Caecilius &c Annoqȝ Dom̃ 1672 by his certaine writeing Obligatory Sealed with the Seale of the Said Henry here in Court produced whose date is the Same

Liber M M day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto the Said Robert Ellis of the County of S^{t} Maries in the Said Province in the full & just quantity of Sixteene hundred pounds of good Sound merchantable tobacco & caske to be paid unto the Said Robert Ellis his heirs executors administrators or assignes at Some convenient place in Talbott County upon demand to the which paym^{t} well and truly to be made he did bind himselfe his heirs executors & administ^{rs} firmly by those presents notwithstanding which the Said Henry Parker the Said Summe of Sixteene hundred pounds of tobacco to him the said Robert according to his Said writeing Obligatory hath not paid though often thereunto required but the Same to him the Said Robert to pay hitherto hath & Still doth altogether deny to the damage of the Said Robert two thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Henry in his proper person cometh into Court and Saith nothing in barr or avoidance of the action aforesaid of him the Said Robert whereupon the Said Robert remaineth against the Said Henry thereof undefended therefore it is considered that the Said Robert recover against the Said Henry the Said debt of 1600 ℔ of tobacco together with five hundred & twelve pounds of tobacco for his costs & charges in this behalfe laid Out & expended.

p. 265 Justinian Gerard
ag^{t}
John Coade & ux
George Beckwith
ag^{t}
John Allen
the def^{ts} by Kenelm Cheseldyn their Attorny appeare & imparle untill next Court.

Marke Cordea
ag^{t}
John Balley
the def^{t} by George Oldfeild his Attorny appeares & imparle untill next Court.

Jn^{o} Coade & ux
ag^{t}
Gerard Slye
the def^{t} by Robert Carvile his Attorny appeares & imparle untill next Court.

Lord Proprietary
ag^{t}
Jn^{o} Barnes adm^{r}
Walter Waterling
the Same
ag^{t}
Garret Vansweringen
the def^{ts} by Kenelm Cheseldyn their Attorny appeares & imparle untill next Court.

Richard ffountaine
ag^{t}
Henry Hawkins
the def^{t} by Benj^{a} Rozer his Attorny appeares & imparle untill next Court.

George Charlesworth
ag^{t}
Charles Delaroch
the def^{t} by Robert Ridgely his Attorny appeares & imparle untill Court.

Liber M M

Richard Keene
agt
Mathias Decosta

Mathias Decosta late of St Maries County planter otherwise called Mathias Decosta of St Maries County in the Province of Maryland was Sumōned to answer unto Richard Keene of the County of Calvert Inholder of a plea that he render unto him the Summe of One thousand One hundred & One pounds of good Sound merchantable tobacco & caske which to him he Oweth and unjustly deteineth

And whereupon the Said Richard by Robert Ridgely his Attorny Saith yt whereas the Said Mathias the tenth day of August in the 43th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1674 by his certaine writeing Obligatory Sealed with the Seale of the Said Mathias and here in Court produced whose date is the day & yeare aforesaid did acknowledge himselfe to owe and Stand indebted to the Said Richard the full & just quantity of One thousand One hundred & One pounds of good Sound merchantable tobacco & caske to be paid to the Said Richard Keene or his certaine Attorny his heirs executors admrs upon demand thereof conveniently in St Maries County To the which payment well and truely to be made the Said Mathias did bind himself his heirs executors & administrators firmly by those presents Notwithstanding which the Said Mathias the Said One thousand One hundred & One pounds of tobacco to him the Said Richard according to the tenor of the Said writing Obligatory though often demanded hath not paid but the Same to pay hath denyed and yet doth deny to the damage of the Said Richard eight hundred pounds of tobacco & thereupon he bringeth his suite.

p. 266

Now here at this day to wit the 16th day of October in the 43th yeare of his Lop̄ps Dominion &c the Sheriff of St Maries County makes returne to the Court here that the Said Mathias is not found in his Bailiwick whereupon the Said Richard prayed an attachmt against the estate of the Said Mathias according to Act of Assembly and it is granted him.

Garrett Vansweringen
agt
Richard Moy

the deft by Robert Carvile his Attorny appeare & imparle untill next Court.

Jno Blomfeild
agt
Benjamin Hunton
the Same
agt
Philip Rossell and
Geo: Mathews

the defts by George Oldfeild their Attorny appeare & imparle untill next Court.

Thomas Lomax
agt
John Coade & ux

the deft by Kenelm Cheseldyn his Attorny appeare & imparle untill next Court.

Liber M M	John Barnes execut^{r} Walter Waterling ag^{t} Richard Moy W^{m} Baker ag^{t} Richard Moy	the def^{t} by Rob^{t} Carvile his Attorny appeares & imparle untill next Court.
	Marke Cordea ag^{t} John Balley the Same ag^{t} the Same	the def^{t} appeares by George Oldfeild his Attorny & imparle untill next Court.
	Mathias Decosta ag^{t} Geo: Charlsworth	the def^{t} appeares by Kenelm Cheseldyn his Attorny imparle untill next Court.
	Thomas Doxey ag^{t} Geo: Marshall adm^{r} Joseph Brough	the def^{t} appeares by Kenelm Chesldyn his Attorny & imparle untill next Court.
	Thomas Mathews & Henry Adams execut^{rs} of Geo: Mannering ag^{t} Thomas Wynn the Same ag^{t} the Same	the def^{t} appeares by Robert Ridgely his Attorny and imparle untill next Court.
	Thomas Gant ag^{t} ffrancis Swinfen	the def^{t} appeares by Vincent Lowe his Attorny & imparle untill next Court.
p. 267	George Marshall adm^{r} Joseph Brough ag^{t} Thomas Doxey	the def^{t} by Robert Ridgely his Attorny appeares & imparle untill next Court.

Job Corner ag^{t} Robert Ingoldsby	Robert Ingoldsby late of Charles County planter was attached to answer unto Job Corner of a plea wherefore by force and armes into One messuage & One hundred & Sixty acres of land with the appurtenñces to the Same belonging lyeing On the west Side of Portobacco Creeke by the water side in Charles County aforesaid in the Said Province which Thomas Corcker of the same County planter to him the Said Job Corner did demise for a terme which is not yet past he

did enter & him from his ffarme aforesaid did eject & other harmes to him he did to the great damage of the Said Job contrary to the Peace &c. Liber M M

And whereupon the Said Job by Robert Carvile his Attorny Saith that whereas the aforesaid Thomas Corcker the fourtenth day of May in the yeare 1674 did demise to the Said Job Corner the messuage & lands aforesaid with the appurtenñcs to have & to hold to him & his assignes from the Said fourtenth day of May in the yeare aforesaid untill the end & terme of One whole yeare from thence next following & fully to be compleate & ended, By virtue of which demise the aforesaid Job Corner into the messuage & lands aforesaid with the appurtenñcs did enter & was thereof possessed & he the said Job Corner So thereof being possessed the aforesaid Robert Ingoldsby afterwards to witt the Sixtenth day of May aforesaid by force & armes the Messuage & lands aforesaid with the appurtenñcs which the aforesaid Thomas Corcker to him the Said Job Corner in forme aforesaid demised for the terme aforesaid which is not yet past did enter & him from his farme aforesaid did eject & other harmes to him did to the great damage of him the Said Job Corner & against the peace & whereupon he Saith he is dampnified & hath losse to the value of thirty thousand pounds of tobacco & thereupon he bringeth his Suite.

Now here at this day to witt the 13th day of October in the 43th yeare of his Lopp̄s Dominion &c came the said Job by his Attorny and the Said Robert by Robert Ridgely his Attorny came likewise & it is Ordered by the Court here by the consent of the Attornyes aforesaid that George Godfry and Mary his wife Shall be admitted def^{ts} who Shall appeare without delay by their Attorny aforesaid & recieve a declaration & plead to the Same the Gen^{ll} issue as of this Court & for the tryall to be had for the Same the Said George & Mary shall appeare in their proper person or by their Councell or Attorny & confesse the lease entry & actuall ejectm^{t} or that in default thereof judgment be entred against the def^{t} Robert Ingoldsby the casual ejector but further prosecution is Stayed against him untill the Said George & Mary Shall make a default in the premisses & it is Ordered by the Court by the consent aforesaid that the Said George & Mary Shall take no advantage against the plaintiff for his not proceeding to try all by Occasion of the Said default but that the Said George & Mary Shall pay to the pl̄t costs to be taxed for the Same And it is further Ordered that the Lessor to the plaintiff Shall be charge with the payment of the costs to the def^{t} by the Court to be in any manner taxed or adjudged. p. 268

Job Coroner pl̄
George Godfry &
Mary his wife def^{ts}

This action of ejectment being comenced by the Said Job Corner as Lessee to Thomas Corcker against Robert Ingoldsby the casual ejector & George Godfry & Mary his wife the parties concerned being by Order of Court

Liber M M named defts instead of the casuall ejector to try the title of a parcell of land in dispute betweene the Said Thomas Corcker and the Said George Godfry & Mary his wife & the Court finding it necessary that the due lines & bounds of both persons lands be Surveyed by a Skillful person according to their respective Deeds from Clement Theobalds of Charles County planter & y^{t} a faire plott & Certificate thereof be returned by the Court is is by the Court this day Ordered that the Hon^{ble} Baker Brooke Esqꝫ Surveyour Gen^{ll} or his Deputy Surveyour for the Said County of Charles County be especially appointed by this Court & are hereby appointed impowered & Comãnded to lay Out the lands of the Said Thomas Corcker & George Godfry & Mary his wife late the land of John Paine deceased & to runn Out the true lines & Sett Out their meets & bounds according to their respective deeds from the Said Clement Theobalds in the presence of the Sheriff of Charles County who is hereby com̃anded & impowerd to Sumōn & impannell a jury upon the Said land & to examine witnesses upon Oath that the truth of the matter may be fully discovered & the Said Surveyor Gen^{ll} or his Deputy is hereby Ordered to run his lines according to evidence then given & the direction of the jury and to returne a Certificate of his proceedings herein & a faire plott distinctly drawne of the Lands in question together with the evidence that was Sworne to the next Provinciall Court to be held at S^{t} Maries the eighth day of December next attested under the hand & Seale aswell of the Said Surveyour Generall or his Deputy as of the Said Sheriff & the jurors that So his Lopp̄es justices here being fully informed of the truth of the premisses may due therein as to justice Shall appurteine. And the Said Thomas Corcker at whose request this Order was granted is to be at the present charge of the present Survey & other the proceedings thereupon & to be allowed the same againe at the tryall, if this Court shall So thinke fitt.

Marmaduke Semme
ag^{t}
Jonathan Squire adm^{r}
John Morecroft

Jonathan Squire late of S^{t} Maries County Administrator of all & Singular the goods and Chattells of John Morecroft late of S^{t} Maries County Gent deceased was attached to answer Marmaduke Semme in a plea of trespas upon the case.

And whereupon the Said Marmaduke by George Oldfeild his Attorny complaineth that whereas the Said John Morecroft in his life time to witt the 28th day of November 1673 was indebted to the Said Marmaduke in the full Sum̃e or quantity of foure thousand and Six hundred pounds of tobacco and caske for Severall goods and merchandizes to him the Said John before that time Sold and delivered And the Said Marmaduke in fact Saith that the Said Summe of foure thousand and Six hundred pounds of tobacco the Said John in his life time nor the Said Jonathan Since his death to whom letters of Administration of all and Singular the goods and Chattels of the Said John are granted though often thereunto required hath not paid though often thereunto required but the same doth altogether deny and refuse to the damage of him the Said Marmaduke five thousand five hundred pounds of tobacco and thereupon he brings his Suite. p. 269

And the Said Jonathan by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when and Saith that as to two thousand two hundred pounds of tobacco part of the abovesaid Sum̄e of foure thousand Six hundred pounds of tobacco he cannot gainsay because he oweth the Said Marmaduke the Same as Administrator aforesaid Therefore it is considered by the Court here that the Said Marmaduke recover against the estate of the Said John in the hands of the Said Jonathan the said Summe of two thousand two hundred pounds of tobacco together with the Sum̄e of pounds of tobacco for his costs and charges in this behalfe expended

By this Publick instrument of procuration or letter of Attorny be it Knowne and manifest unto all those who Shall See these presents or have the Same read that On the One and twentith day of the month of ffebruary Anno Dom̄ 1673 and in the Six and twentith yeare of the Reigne of Our Soveraigne Lord Charles the Second by the Grace of God King of England Scotland ffrance and Irland Defendour of the ffaith &c Before me Nicholas Hayward Notary and Tabellion publique dwelling in London by Authority of his Said Ma^{tie} admitted and Sworne and in the presence of the witnesses hereafter named personally M^{r} Robert Webb of the Midle Temple Gent executor of the last will and Testament of Daniel Kelway deceased in his life time Cittizen and Girdler of London who hath made Ordained and constituted as by these presents in his Stead and place he doth make ordaine and Constitute Robert Taverner and John Broome of London Merchants his true and lawfull Attorny and Attornyes Giveing and by these p^{r}sents Granting unto his Said Attorny and Attornyes joyntly or to either of them Severally full power and lawfull authority for him constituant and in his name and to his Use in the quality aforesaid to aske demand Sue for levy recover and receive of Thomas Stanley of Maryland merchant of the heirs executors or administrators of late of George Harris in his life time of Virginia and of John ffordsham or of any other person or persons whatsoever who were Debtors unto the Said late Daniel Kelway at the time of his decease or of their Severall Goods effects plantations Chattells and estate whatsoever wherever he they every or any of them are or shall be found either in Maryland or Virginia all Such Sum̄e or Sum̄es of mony tobaccoes goods wares merchantdizes or the proceeds thereof which any person or persons

Liber M M whatsoever are oweing and indebted or have in his their or any of their custody or possession due belonging or appurteining unto the Said late Daniel Kelway at the time of his decease and now of right belonging unto the Said Robert Webb the Constituant in the quality aforesaid Be it by bond bill booke accompt reckoning proceed of goods Sent from hence or otherwise for what cause or reason Soever Also to demand and require an accompt of the Said Thomas Stanley of all Trade dealeings and concernes betwixt him and the Said deceased and the Same accompts with the Said Stanley or any other person to Settle adjust and agree & to take and receive what p. 270 tobaccoes Goods debts or other things shall belong to the estate of the Said deceased by the ballance of the Said accompts upon recoveryes and receipts to give and acquittances releases and discharges in due form And if need be appeare before all Lords judges and justices in any Court or Courts there to answer defend and reply in all matters and causes touching or concerning the premisses to doe Say Sue pursue implead arrest Seize Sequester attach imprison and to condemne and Out of prison againe to deliver And also the Said Constituant in the yeare aforesaid doth by these presents authorize and impower his Said Attornys or either of them not only to recover and take into their possession all tobacco[es] goods debts and all other thinges any wise due or oweing unto the Saide late deceased Daniel Keylway But also to act manage and performe all affaires and concernes whatever touching or anywise relateing to the estate of the Said deceased And Generally to use all lawfull wayes and meanes for the recovery thereof either by Suite of law or otherwise as fully and amply to all intents and purposes as he Constituant himselfe might or could doe if he were personally present with power to Substitute One or more Attorneys and the Same againe to revoake the Constituent in the quality aforesaid promiseing to hold for firme and valid all and whatsoever the said Robt Taverner and John Broome or either of them joyntly or Severally or their or either of their Substituts shall lawfully doe or cause to be done in and about the premisses by virtue of these presents In wittness whereof the Said Constituant hath Signed Sealed and delivered these presents This done and passed in London in presence of the persons underwritten witnesses thereunto required Rob: Webb (Sealed)

Sealed and delivered in
prsence of
Arthur Domvile
Tho: Philip (Sealed)
Tho: Jarvis

In testimonium Veritatis Signo meo manuali Soliti Signavi et Tabellionat mei Sigillum apposui rogatus & requisitus

Nich: Hayward Notr Publ.

To all that Shall See these presents or heare them to be read I William Hooker Knight Lord Mayor and the Aldermen of the Citty of London Doe hereby make Know[ne] and Certifie That Nicholas

Hayward who hath Signed and attested the Procuration or Letter of Attorny abovementioned is a Notary and Tabellion Publique legally by Authority of the Kings most Excellency admitted and Sworne dwelling in this Citty and that to Acts instruments procurations or Letters of Attorny and Other writeing By him Signed and attested is ffaith and Creditt given in Court and without In ffaith and Testimony whereof Wee the Said Lord Mayor and Aldermen the Seale of the Office of Mayoralty of the Said Citty of London have caused to be pr[essd] and affixed to these presents Given at London the eight and twentith day of ffebruary Anno Dom̃ 1673 and in the Six and twentith yeare of the reigne of Our Soveraigne Lord King Charles the Second of England &c.

(Sealed.) Wagstaffe.

I the Right Hon^{ble} Cacilius Absolute Lord and Proprietary of Maryland and Avalon Lord Baltemore &c Doe hereby Certifie that Nicholas Hayward who hath Signed the annexed Letter of Attorny is a Notary Publique of the Citty of London and that to Acts Procurations or Letters of Attorny and all other writeings by him Signed and attested in ffaith and Creditt given in Court and without All p. 271
which I doe Certifie under my hand and Seale this fourth day of March Anno Dom̃ 167¾. C: Baltemore (Sealed)

To all xpiān people To whom these presents Shall Come I Robert Taverner of the Citty of London merchant Send Greeting in Our Lord God everlasting Whereas Robert Webb of the Middle Temple London Gent executor of the last will and Testament of Daniel Kelyway late Cittizen and Girdler of London deceased by his publique instrument of procuration or letter of Attorny beareing date the One and twentith day of ffebruary Anno Dom̃ 1673 and in the Six and twentith yeare of the reigne of Our Soveraigne Lord Charles the Second by the Grace of God King of England Scotland ffrance and Irland Defender of the ffaith &c did make Ordaine and Constitute mee the Said Robert Taverner and John Broome of London merchants his true and lawfull Attorny and Attornyes Giveing to his Said Attornyes joyntly or to either of them Severally full power and lawfull authority for him and in his name and to his use to aske demand Sue for levy recover and receive of Thomas Stanley of Maryland Merchant of the heirs executors or administrators of late George Harris in his life time of Virginia and of John ffordham or of any other person or persons whatsoever who were Debtors unto the Said Daniel Keylway at the tyme of his death or of their Severall goods effects Plantations Chattells and estates whatsoever wheresoever he they every or any of them are or Shall be found in Maryland or Virginia all Such Sum̃e or Sum̃es of tobacco goods wares merchandizes or the produce thereof which any Ꝑson or persons whatsoever were oweing and indebted or had in

Liber M M their or any of their Custody or possession due belonging or appurteining to the Said Kelwayes estate be it by bond bill booke accompt reckonnings proceed of any goods Sent from England or otherwise for what cause or reason whatsoever. Also to demand and require an accompt of the Said Thomas Stanley of all trade dealings and concernes betwixt him and the Said deceased and the Same accompts with the Said Stanley or any other person to Seale adjust and agree and to take and receive what tobacco goods debts or other things Shall belong to the estate of the Said Kelway by the ballance of the Said accompts and upon recovery and receipt of the Same to give acquittances releases and discharges in due forme And if need be to arrest implead imprison and Out of prison againe to release with power to make Other Attornyes under him or them joyntly or Severally thereby promiseing to ratifie and confirme what his Said Attornyes or either of them joyntly or Severally Should doe in the premisses As by the same Letter of Attorn[ey] relation being thereunto had may move at large appeare Now Know Yee that I the Said Robert Taverner by Virtue of the Said Letter of Attorny and authority to me hereby given by the Said Robert Webb executor of Keylway as aforesaid for and in consideration of the Sum̄e of One hundred twenty five pounds Six Shillings Sterling and for divers other good causes and considerations me thereunto especially moveing have remised released and for ever quit claimed and by these presents for me my executors and administrators and for the Said Robert Webb his executors and administrators and the executors & adm^{rs} and the executors & adm^{rs} of the Said Daniel Kelway p. 272 and every of them clearely and absolutely remise release and for ever quitt claime unto Thomas Stanley of Ann Arrundell County in the Province of Maryland merchant his execut^{rs} administrators and assignes all and all manner of actions Suites quarrells debts duties bonds bills writeings Obligatory reckonings accompts and demands whatsoever which against the Said Thomas Stanley I the Said Robert Taverner by Virtue of the Said letter of Attorny or the Said Robert Webb by Virtue of the Said Executorship the heirs execut^{rs} or adm^{rs} of the Said Robert Webb or Daniel Keylway ever have had or may have hereafter for or by reason of any matter cause or thing whatsoever from the begining of the World to the day of the date hereof In testimony whereof I the Said Robert Taverner hath hereunto Sett my hand and Seale this twenty fourth day of November in the yeare of Our Lord God One thousand Six hundred Seventy & foure Robert Taverner (Seale)

Signed Sealed and delivered
in the p^{r}sence of Us
Memorandum that the words (& discharges)
in the two & twentith line were enterlyned

Liber M M

before the Sealeing and delivery hereof in the prsence of Us.
Jnº Dunch
Walter Dunch
J Browne
Richard Hill

This writeing of release was proved by the Oath of Jnº Dunch One of the wittnesses thereunto this 11th day of December 1674 before mee Philip Calvert

To all xpiān people to whom this present writeing Shall Come Wee William Downing of the Citty of Bristoll merchant and Thomas Smart of the Same Citty merchant Send Greeting Whereas Wee the Said William Downing and Thomas Smart did heretofore Send with and consigne to One William Hattoft late of the Citty of Bristoll who dyed in Virginia or Maryland Severall goods and merchandizes to be by him Sold and disposed of for Our joynt accompt and best advantage as by Our Severall invoyces and Orders thereupon given Sent him may appeare Now Know yee that Wee the Said William Downing and Thomas Smart have made assigned Ordained authorized appointed & deputed and in Our places and Steads by these presents have putt and constituted Our trustly and welbeloved ffreind Thomas Jones of the Citty of Bristoll mercht Our true and lawfull Attorny for Us and in Our names and Steads and to & for Our only proper uses & behoofes to aske levy demand recover and receive of the executors or administrators of him the Said William Hattoft deceased or of any other person or persons whatsoever whom it Shall or may concerne by any wayes or meanes whatsoever inhabiteing resideing or abideing in Virginia or Maryland aforesaid all Such Sum̃e and Summes of mony debts goods wares tobacco merchandizes dues and demands whatsoever which are or shall be due and Oweing unto Us or deteined from Us by the Said executors or admrs or their agents or either of them or by any other person or persons whatsoever either by bill bond booke accompt or by any other wayes or meanes howsoever or for any matter or cause whatsoever And also to call them or any or either of them to an accompt or reckoning touching or concerning the premisses Giveing and by these presents granting unto Our said Attorny Our full power good right and lawfull authority in the premisses for Us and in Our names and Steads to Sue arrest attach implead condemne and imprison them the executors or administrators of the Said William p. 273 Hattoft or any other person or persons whom it Shall or may concerne or any of their goods and Chattells and them and their goods and Chattell's Out of prison againe to deliver or cause to be delivered And also to compound with them or any of them touching or concerning the premisses And after the receipt thereof or Composition made as aforesaid acquittances or other lawfull discharges for the Same So compounded for or received for Us and in Our names and Steads to make Seale and deliver as Our Acts and deeds Attornyes

Liber M M also One or more under him to make and Substitute and the same againe at his will and pleasure to revoke and generally to doe execute performe fullfill and finish all and whatsoever else Shall be needfull or necessary to be done in and about the premisses in as large and ample manner and forme as Wee Our Selves might have done if Wee had been there personally present Ratifieing confirming and allowing whatsoever Our Said Attorny Shall lawfull doe or cause or procure to be done in or about the premisses to be as good and effectually in the Law as if Wee had done the Same in Our owne persons And Wee doe hereby revoake all former letters of Attorny by Us granted to any other person whatever concerning the permisses and Wee doe hereby declare the same to be void to all intents and purposes In wittnesse whereof Wee have hereunto Sett Our hands and Seales the twelfth day of August in the Six and twentith yeare of the Reigne of Our Soveraigne Lord Charles the Second by the Grace of God of England Scotland ffrance & Irland King Defendour of the ffaith &c Annoq̧ Dom̄ 1674

Sealed and delivered in the presence of
Tho: Dickeson
John Toptisse

Wm Doming (Sealed)
Tho: Smart (Sealed)

16th October 1674.

The abovewritten letter of Attorny was proved before mee by the Oath of Thomas Dickeson
Charles Calvert.

Mathew Warde
agt
John Scott

John Scott lately of Talbott County Carpenter was Sumoned by a writt of Priveledge of the right Honble the Lord & Proprietary of this Province &c from the Provinciall Court here issueing to answer Mathew Warde Gent One of the Attornyes of the Said Court according to the libertyes and priveledges of the Same Court for Attornyes and other ministers of the same Court in a plea that he render unto the Said Mathew nine hundred pounds of tobacco which he oweth and unjustly deteineth.

And whereupon the Said Mathew Warde in his proper person complaineth that whereas the Said John the thirtenth day of December One thousand Six hundred and Seventy by his certaine bill in writeing Sealed & delivered by the said John as his deed here in Court produced whose date is the day and yeare abovesaid became indebted to the Said Mathew in nine hundred pounds of tob̄ good Sound & merchantable in caske to be paid unto the Said Mathew his certaine Attorny executrs administrators or assignes in and upon the tenth day of November then next ensueing the date of the said bill

Notwithstanding which the Said John the said Summe of Nine hundred pounds of tobacco to the Said Mathew nor to any other by his Order or for his use hath not paid according to the tenor of the Said bill but doth altogether refuse to pay the Same whereupon the Said Mathew Saith he is dampnified & hath losse to the value of twelve hundred pounds of tobacco & thereupon he bringeth his Suite. Liber M M

And the Said John by Vincent Lowe his Attorny doth come and defend the force and injury when &c and prayeth the heareing of the Said writeing and it is read unto him in these words Know all men by these presents that I John Scott of Talbott County Carpenter doe hereby acknowledge to be indebted unto Mathew Warde of St Johns in St Maries County in nine hundred pounds of good Sound merchantable tobacco in caske to be paid unto the Said Mathew his certaine Attorny his executors admrs or assignes in or upon the tenth day of November next ensueing the date hereof at or in the now dwelling house of the said John Scott for the true and Sure payment whereof I bind me my heirs executors & administrators Sealed with my Seale dated this thirtenth day of December One thousand Six hundred & Seventy. which being read & heard the Said John by Vincent Lowe his Attorny craveth licence thereof to imparle untill the first day of the next Provinciall Court and he hath it & the Same day is given to the Said Mathew here. p. 274

Att which day to witt the 14th day of April in the 43th yeare of his Lopps Dominion &c came the Said Mathew and the Said John by his Attorny aforesaid and the Said Vincent Saith that he is not informed by the Said John his Clyent of any answer thereunto to make therefore it is considered by the Court here that the Said Mathew recover against the Said John Scott aswell the Said Sum̄e of nine hundred pounds of tobacco the debt aforesaid as also the Sum̄e of three hundred forty three pounds of tobacco for his costs & charges in this behalfe expended and the Said John in mercy.

Thomas Locker
agt
Jonathan Squire admr
John Morecroft

Jonathan Squire administrator of the goods and Chattells of John Morecroft deceased was attached to answer unto Thomas Locker of a plea of trespas upon the case.

And whereupon the Said Thomas by Robert Carvile his Attorny Saith that whereas the Said John Morecroft in his life time to witt the Sixth day of December in the yeare of Our Lord 1673 was indebted to the said Thomas in the Summe of eight hundred thirty five pounds of tobacco for worke done for the Said John in his life time to witt from the first day of November 1672 to the Said Sixth day of December 1673 a particular whereof is hereunto annexed he the Said John in Consideration thereof did assume upon himselfe and to the Said Thomas did faithfully promise that he the said John the Said Summe of 835 † of tob to him the Said Thomas

Liber M M would well and truly content & pay when thereunto required Yet notwithstanding the said John in his life time nor the said Jonathan Since his death to whom letters of administration of the Said Johns estate is in due forme committed not regarding the promise and assumption aforesaid the said Sum̃e of 835 lb of tobacco to him the said Thomas though often thereunto requested have not paid or Satisfied but the Same to pay and Satisfie he the Said Jonathan hath hitherto denyd and refused and Still doth deny to the damage of the Said Thomas 1000 lb tobacco & thereupon he bringeth his Suite.

And the Said Jonathan by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when &c and Saith that he can say nothing in barr and avoydance of the Said action of the Said Thomas by which the said Thomas remaineth against the said Jonathan thereof undefended Wherefore it is considered by the Court here that the Said Thomas recover against the estate of the Said John the said Sum̃e of 835 lb of tobacco and the said Jonathan in mercy.

p. 275 Daniel Jenifer
agt
Lodowick Martin

Lodowick Martin late of Baltemore County otherwise called Lodowick Martin of St Maries County in the Province of Maryland was Sumoned to answer unto Daniel Jenifer of a plea that he render to him the summe of three hundred and eight pounds of tobacco which to him he oweth and unjustly deteineth &c.

And whereupon the Said Daniel by Robert Carvile his Attorny Saith that whereas the Said Lodowick upon the 10th day of July in the yeare of our Lord One thousand Six hundred Sixty nine by his certaine bill or writeing Obligatory Sealed with the Seale of him the said Lodowick and here in Court produced whose date is the day and yeare abovesaid did confesse himselfe to owe and Stand indebted unto him the Said Daniel the Summe of three hundred and eight pounds of good Sound merchantable tobacco and caske to be paid to the Said Daniel upon demand Yet the Said Lodowick the Said Summe of three hundred and eight pounds of tobacco though often there unto required to him the Said Daniel according to his Said bill hath not paid but the same to pay as yet doth deny and refuse to the damage of him the said Daniel five hundred pounds of tobacco and thereupon he bringeth his Suite.

And the Said Lodowick by Thomas Carleton his Attorny cometh and defendeth the force and injury when &c and Saith yt he Saith nothing in barr or avoidance of the Said action of the aforesaid Daniel by which the Said Daniel remaineth against the Said Lodowick thereupon undefended therefore it is considered that the Said Daniel recover against the Said Lodowick his debt of three hundred and eight pounds of tobacco as also the Summe of five hundred ninty Six pounds of tobacco costs of Suite to him the Said Daniel of his assent by the Court adjudged and the aforesaid Lodowick in mercy. Liber M M

Garrett Vansweringen
ag^t
Curtis ffletcher

Curtis ffletcher late of S^t Maries County otherwise called Curtis ffletcher of the County of S^t Maries Marriner was Sumoned to answer unto Garrett Vansweringen of a plea that he render unto him the summe of three thousand pounds of neate porke which to him he oweth & unjustly deteineth &c.

And whereupon the Said Garrett Vansweringen by Kenelm Cheseldyn his Attorny Saith that whereas the Said Curtis ffletcher upon the tenth day of June in the yeare of Our Lord 1673 by his certaine writeing Obligatory Sealed with the Seale of him the Said Curtis ffletcher here in Court produced whose date is the day and yeare abovewritten did acknowledge himselfe his heirs executors adm^{rs} or assignes to be oweing and Stand justly indebted unto the Said Garrett Vansweringen his heirs executors adm^{rs} or assignes in the full and neate quantity of three thousand pounds of neate porke to be delivered convenient at the Citty of S^t Maries at or before the last day of December then next ensueing the date thereof To the which payment well and truly to be made and done he did bind himselfe his heirs executors administrato^{rs} or assignes firmly by those presents Notwithstanding which the Said Curtis ffletcher the Said Summe of three thousand pounds of neate porke though often thereunto required according to the tenōr of his Said writeing Obligatory hath not paid unto him the Said Garrett Vansweringen but the same to pay hitherto hath and Still doth altogether deny whereupon the Said Garrett Vansweringen Saith he is dampnified p. 276 and hath losse to the value of five thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Curtis ffletcher in his proper person Cometh into Court here and Saith nothing in barr or avoidance of the action aforesaid of the Said Garrett by which the Said Garrett remaineth against the Said Curtis thereupon undefended therefore it is considered by the Court here that the Said Garrett Vansweringen recover against the Said Curtis ffletcher aswell his debt of three thousand pounds of neate porke as also the Sum̃e of pounds of tobacco for his costs and charges in that behalfe expended and laid Out and the Said Curtis in mercy.

Garrett Vansweringen
ag^t
Curtis ffletcher

Curtis ffletcher late of S^t Maries County otherwise called Curtis ffletcher of the County of S^t Maries in the Province of Maryland was Sumōned to answer unto Garrett Vansweringen of a plea that he render unto him the Sume of nine hundred pounds of tobacco in caske which to him he oweth and unjustly deteineth &c.

And whereupon the Said Garrett Vansweringen by Kenelm Cheseldyn his Attorny Saith that whereas the Said Curtis ffletcher the eight and twentith day of June in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of the Said Curtis and here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to be holden and firmly bounden into the Said Garrett Vansweringen of the County of S^t^ Maries in the province aforesaid in the full quantity of nine hundred pounds of good sound merchantable tobacco in caske being for a Valuable consideration already received to be paid to the said Garrett Vansweringen or to his certaine Attorny his heirs executors administrators or assignes convenient in the County aforesaid at or upon the tenth day of October then next ensueing to the w^ch^ payment well and truly to be made he did bind himselfe his heirs executors and adm^rs^ firmly by those presents Notwithstanding which the Said Curtis ffletcher the Said Sume of nine hundred pounds of tobacco and caske though often thereunto required according to the tenor of his Said writeing obligatory to him the Said Garrett Vansweringen hath not paid but the Same to pay hitherto hath and Still doth deny whereupon the Said Garrett Vansweringen Saith he is dampnified and hath losse to the value of fifteen hundred pounds of tobacco & thereupon he bringeth his Suite.

And the Said Curtis ffletcher in his proper person cometh into Court here and Saith nothing in barr or avoidance of the action aforesaid of him the Said Garrett Vansweringen by which the Said Garrett remaineth against the Said Curties thereupon undefended Therefore it is considered by the Court here that the Said Garrett Vansweringen recover against the Said Curtis ffletcher aswell his debt of nine hundred pounds of tobacco in caske as also the sume of   pounds of tobacco for his costs and charges in that behalfe laid Out and expended and the Said Curtis in mercy.

Richard Smith
ag^t^
W^m^ Worgan

William Worgan late of Dorchester County otherwise called William Worgaine of Dorchester County in the Province of Maryland Inholder was Sumoned to answer unto Richard Smith in a plea that he render unto him the Sume of Six thousand five hundred pounds of tobacco which to him he oweth and unjustly deteineth &c.

p. 277 And whereupon the Said Richard by Kenelm Cheseldyn Saith that whereas the Said William Worgan the fiftenth day of January

Anno Dom̄ 1673 by his certaine writeing Obligatory Sealed with the Seale of the Said William here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executors administrators to pay or cause to be paid to Richard Smith of S^t Leonards in Calvert County his heirs executors adm^rs or assignes the full and just Summe of six thousand five hundred pounds of good Sound well conditioned tobacco and casque in Some convenient place in Dorcet County upon demand for the true performance thereof did thereunto Sett his hand and Seale Notwithstanding which the Said William the Said Sum̄e of Six thousand five hundred pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid though often thereunto required but the Same to pay hitherto hath and Still doth altogether deny to the damage of the Said Richard eight thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said William by Robert Carvile his Attorny cometh & defendeth the force and injury when &c and Saith nothing in barr or avoydance of the action aforesaid of him the Said Richard by which the Said Richard against the Said William remaineth thereupon undefended Therefore it is considered by the Court here that the said Richard Smith recover ag^t the Said William Worgan aswell his debt of Six thousand five hundred pounds of tobacco as also the Summe of five hundred and twelve pounds of tobacco for his costs and charges in this behalfe expended and laid Out and the Said William Worgan in mercy &c.

M^r Carvile

S^r my Kind respects presented unto you the cause of my writeing unto you is to acquaint you that the business betweene Henry Turner and me you need not proceed in for we have done but I desire you to appear for me in the businesse betweene M^r Smith and me and to confesse judgment So hopeing you will not faile I rest your

October the 10^th 1674. William Worgen.

Upon the Petition of Charles Hay that Joseph Brough in his life time Stood indebted to him three hundred pounds of tobacco the remainder of his wages prayeth Order for the Same and George Marshall Administrator of the Said Brough being then in Court undertooke the payment of the same out of the estate of the Said Joseph.

Margarett Penry ag^t Thomas Howell } Thomas Howell late of Baltemore County Gent otherwise called Thomas Howell of Caecil County Gent was Sumōned to answer unto Margarett Penry in a plea that he render unto her the sum̄e of One hundred and twelve thousand foure hun-

Liber M M dred foure pounds of tobacco which to her he oweth and unjustly deteineth

And whereupon the Said Margarett Penry by Kenelm Cheseldyn her Attorny Saith that whereas the Said Thomas Howell the tenth day of October in the 43th yeare of the Dominion of Caecilius &c Annoq; Dom̄ 1674 at Caecil County aforesaid did borrow of her the Said Margarett the sum̄e of One hundred and twelve thousand foure hundred pounds of tobacco to be paid to her the Said Margarett when thereunto required Notwithstanding which the Said Thomas the said One hundred and twelve thousand foure hundred pounds of tobacco to her the said Margarett though often thereunto required hath refused to pay and Satisfie and the same to pay and Satisfie as p. 278 yet doth deny and refuse whereupon the said Margarett Saith she is dampnified and hath lost to the value of fifty thousand pounds of tobacco and thereupon she produces her Suite &c.

And the aforesaid Thomas Howell in his proper person cometh and defendeth the force and injury when &c and the Said Thomas here in Open Court acknowledges the debt aforesaid of the said Sum̄e of One hundred and twelve thousand and foure hundred pounds of tobacco by which the Said Margarett against the Said Thomas for the Said debt of One hundred and twelve thousand and foure hundred pounds of tobacco remaineth wholy undefended Therefore it is considered by the Court here that the Said Margarett recover against the Said Thomas the said Summe of One hundred and twelve thousand and foure hundred pounds of tobacco But that as to fifty Six thousand and two hundred pounds part of the said tobacco that execution thereof cease until the tenth day of October next which shall be in the yeare of Our Lord One thousand Six hundred Seventy five.

And the Said Margarett by Robert Ridgely her Attorny cometh into Court and acknowledgeth her Selfe Satisfied contented and paid the Sum̄e of twelve thousand foure hundred pounds of tobacco part of the judgment abovesaid.

And it is here further Ordered by the consent of the parties abovesaid that the Suite depending in Chancery betweene the Said Margarett Penry Complaint and the Said Thomas Howell and Johanna Goldsmith defts be dismist each party paying their Owne costs.

Thomas Aron
agt
Jonathan Squire admr
John Morecroft.

Jonathan Squire late of St Maries County administratrs of the goods and Chattells of John Morecroft deceased was attached to answer unto Thomas Aron in a plea of trespas upon the case.

And whereupon the Said Thomas by Robert Carvile his Attorny Said that whereas the Said John in his life time to witt upon the tenth day of November in the yeare of Our Lord One thousand Six hundred Seventy two Stood indebted to the Said Thomas in the Sum̃e of foure hundred pounds of tobacco he the Said John in consideration thereof did assume upon himselfe and to the Said Thomas did faithfully promise to pay unto the Said Thomas the Said Sum̃e of foure hundred pounds of tobacco when thereunto requested Yet notwithstanding the Said John in his life time and the said Jonathan Since his death the Said promise aforesaid little regarding the Said Sum̃e of foure hundred pounds of tobacco to him the Said Thomas though often thereunto requested hath not paid to him but the Same to pay hath denyed and Still doth deny to the damage of the Said Thomas Six hundred pounds of tobacco and thereupon he bringeth his Suite. Liber M M

And the Said Jonathan by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when &c and Saith that he hath nothing to Say in barr or avoidance of the Said action of him the Said Thomas whereupon the Said Thomas remaineth against the Said Jonathan thereof undefended Therefore it is considered that the Said Thomas recover against the Said Jonathan the Said Summe of foure hundred pounds of tobacco debt.

Upon the Petition of William Asbestone that he lent unto Joseph Brough deceased in june last One hundred and eleaven pounds of cleare & Sifted meale of indian Corne weighed by George Marshall administratʳ of the deceased

Ordered that the Said George Marshall admʳ of the Said Joseph deceased pay the same to the Petitioner or Satisfaction in tobacco for the Same according to the prayer in the said Petition.

Whereas it appeares to the Com̃issary Generall for probate of wills and granting administrations that John Brewer hath not exhibited a true inventory of the estate of the said John Hatton deceased nor a true accompt of the Said estate to the Second administrator it is this day to witt the Sixtenth day of October in the 43th yeare of his Lõpps Dominion &c Ordered by the Court here that the bond for administration be assigned over unto Samuel Hatton admʳ of John Hatton deceased. p. 279

Garrett Vansweringen
agᵗ
James Lewis

It was Com̃anded the Sheriff of Sᵗ Maries County That he take James Lewis otherwise called James Lewis So that he have his body before the justices of this Court here the thirtenth day of October in the 43ᵗʰ yeare of his Lõpps Dominion &c to answer unto Garrett Vansweringen in a plea that he render unto him the summe of One thousand three hundred pounds of tobacco which to him he oweth and unjustly deteineth at which day the Same Sheriff returnes that the said James Lewis

Liber M M absconds and lye hid So that he could not have his body at the day and place as he was required. Whereupon the Said Garrett by Kenelm Cheseldyn his Attorny prayeth attachment against the goods and Chattells of the said James Lewis according to Act of Assembly in that case made and provided and it is granted unto him by the Court here.

Garrett Vansweringen
ag^{t}
James Lewis

Com̄and was given to the Sheriff of S^{t} Maries County that he take James Lewis if &c and him Safe Keepe So that he have his body here the thirtenth day of October in the 43th yeare of his Lopp̄s Dominion &c to answer unto Garrett Vansweringeen of a plea that he render unto him the Summe of two thousand eight hundred Sixty two pounds of tobacco which to him he oweth & unjustly deteineth Att which day the Same Sheriff returnes that the said James Lewis absconds and lye hid So that he could not have his body at the day and place as he was com̄anded Whereupon the Said Garrett by Kenelm Cheseldyn his Attorny prayeth attachment against the goods and Chattells of the Said James Lewis according to Act of Assembly in that case made and provided. and it is granted unto him by the Court here.

John Gittings and Robert Heigh of Calvert County Gent being cōmissionated Com̄issioners and justices to serve for the Said County and refuseing to Serve and Officiate fined according to Act of Assembly.

Upon the Petition of William Melton that whereas an action was brought in Calvert County Court the 17th of August last past by John Troster against the Petitioner as administrator of John ffoster in prosecution of which suite Severall accompts were exhibited by the Said Troster against the estate of the Said ffoster which accompts the petitioner conceives unjust and not to be allowed, whereupon the petitioner did upon giveing judgm^{t} appeale to this Court and prayes entry of his Said appeale which was refused him

Therefore it is by the Court here Ordered that the petitioners appeale be admitted and that the petitioner give Security to the County Court for the prosecution of the Said appeale.

The Hon^{ble} the Chancellour Thomas Taillor Thomas Truman and Baker Brooke Esqꝫ continue the causes in Chancery untill the eighth day of December next.

The Provinciall Court adjourned untill the same day.

p. 280 Maryland ss.

Att a Provinciall Court of the Right Hon^{ble} the Lord Proprietary of this Province held at the Citty of S^{t} Maries the eighth day of

December in the 43th yeare of his Lopp̄s Dominion &c Annoqꝫ Dom̄ 1674 and from the Said eighth day of December by his Lordshipps writt of adjournment adjourned untill the ninth day of the Same month and there Continued untill the fourtenth day of the Same December at which Said ninth day of December were present. Liber M M

The Honble
Charles Calvert Esqꝫ Leivtennt Genll and Cheife justice
Philip Calvert Esqꝫ Chancellour
Wm Calvert Esqꝫ Secretary
Baker Brooke Esqꝫ Surveyr Genll
Samuel Chew Esqꝫ
justices

Jno Blomfeild Ct̄ Cur.

Then came John Quigley of the Citty of St Maries Gent and was admitted and Sworne one of the Attornyes of this Court.

Came Richard Speed of Bristoll Marriner in his proper person and acknowledged judgment to the Honble Charles Calvert Esqꝫ for the Summe of foureteene thousand pounds of tobacco the tenth day of December in the yeare aforesaid.

George ffinion deposeth in Open Court that he Sold John Blackistone a Servant for two and twenty hundred pounds of tobacco and that he never received any part or parcell thereof also unto Samuel Dobson One Servant for the Same quantity and never received any part thereof and also to Robert Ware One Servant for the Same quantity of which he hath received two hundred pounds of tobacco and no more.

Thomas Gibson pt̄
agt
James Neale & ux defts
in ejectmt

The defendants alleadging no notice was given them at the resurvey of the land in question and the Same being now returned with the Verdict of the jury

Ordered that the parties and evidences may have notice to be thereupon the resurveying the same together with the Surveyour Genll or his Deputy On the third day of ffebruary next and also notice to the same jurors and in case of default of any the jurors that the Sheriff returne tales

Know all men by these presents that I Hugh Roy of New Kent planter in Virginia doe constitute Ordaine and appoint Mr Thomas Dent Gent of St Maries River in Maryland to be my true and lawfull Attorny for me and in my name Stead and place to aske Levy and demand all Such Summe or Summes of Mony or tobacco which is due unto me the Said Roy from Mr John Quigley and likewise doe impower my Said Attorny to impleade and sue the said Quigley and to make

Liber M M any other Attorny or Attornyes if it Shall be thought convenient by my Said Attorny and whatsoever my Said Attorny shall lawfully act or doe in or about the premisses I doe by these presents ratifie confirme and allow of to all intents and purposes as if I my Selfe were personally present I wittnes of the Same I have hereunto Sett my hand and Seale the 13 day of August 1674.

Signed Sealed and delivered Signum
Coram me John West. Hugh HR Roy (Sealed)
Thomas Young
John Waters.

December the 11th 1674.
The abovesaid Letter of Attorny was in Open Court by the Oath of Thomas Young One of the witnesses thereunto proved to be the Act and Deed of the said Hugh Roy.

p. 281 Thomas Bland agt Thomas Gant } Thomas Gant of Calvert County Victualler other[wi]se called Thomas Gant of Petuxent River in Calvert County Gent w[as] Sumōned to answer unto Thomas Bland One of the Attornyes &c in a plea of Debt.

And whereupon the Said Thomas Bland in his Proper person Saith that whereas the Said Thomas Gant the tenth day of August 1672 by his certaine writeing Obligatory Sealed with the Seale of the Said Thomas Gant here in Court produced whose date is the day and yeare abovesaid became obliged unto the Said Thomas Bland in the full Sum̃e of Six pounds mony Sterling to be paid in peices of eight at five Shillings Ᵽ peice to be paid the last day of December then next following unto the Said Thomas Bland Notwithstanding the Said Thomas Gant the Said Six pounds mony Sterling in peices of eight at five shillings Ᵽ peice hath not paid and performed according to the Said writeing Obligatory but doth altogether refuse to pay the Same whereupon the Said Thomas Bland Saith he is dampnified and hath lost to the value of ten pounds Sterling mony of England whereupon he brings his suite

And the Said Thomas Gant by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the first day of the next Provinciall Court and it is granted unto him and the same day is given to both parties here.

Now here at this day to witt the ninth day of December in the 43th yeare of his Lopp̄s Dominion &c Came the said Thomas Gant by Robert Carvile his Attorny but the Said Thomas Bland came not to prosecute his action aforesaid whereupon the Said Thomas Gant prayed a non suite might be awarded against him which was accordingly granted by the Court here and that the Said Thomas Bland pay unto the Said Thomas Gant the summe of Seaven hundred Sixty and One pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said Thomas Bland in mercy. Liber M M

James Beamont agt John Allen — John Allen Gent High Sheriff of Charles County otherwise called John Allen of Charles County Merchant was Sumōned to answer unto James Beaumont of Boston in New-England of a plea that he render unto him twenty eight thousand nine hundred and forty pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said James by Robert Carvile his Attorny Saith that whereas the Said John upon the One and twentith day of July in the yeare of Our Lord 1673 by his certaine bill or writeing Obligatory Sealed with the Seale of him the Said John and here in Court produced whose date is the day and yeare aforesaid did confesse and acknowledge himselfe to owe and Stand indebted unto the Said James Beaumont in the full and just quantity of twenty eight thousand nine hundred and forty pounds of good Sound and merchantable tobacco and caske to conteine the same to be paid to the Said James Beamont his heirs executrs administrators or certaine Attorny before the tenth day of October next ensueing the date of the Said bill in Some convenient place in the said County Yet notwithstanding the Said John Allen the said Summe of twenty eight thousand nine hundred and forty pounds of tobacco to him the Said James according to the Said writeing Obligatory though thereunto requested hath not hitherto contented or paid but the Same to pay hath and Still doth deny and refuse to pay to the damage of him the Said James forty thousand pounds of tobacco and thereupon he bringeth his Suite. p. 282

And the Said John by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the first day of the next Provinciall Court and the Same day is given to both parties.

Att which day to witt the eighth day of December in the three and fortith yeare of the Dominion of Caecilius &c the Said Court was by his Lopps writt of adjournment adjourned untill the next day

Att which day to witt the ninth day of December in the yeare aforesaid came the Said James by Robert Carvile his Attorny and offered himselfe against the Said John in the plea aforesaid but the Said John Allen came not but made default. therefore it is considered by the Court here that the Said James recover against the Said John Allen aswell the said Summe of twenty eight thousand nine hundred and forty pounds of tobacco his debt aforesaid as also the Summe of nine hundred and Seaven pounds of tobacco for his costs

Liber M M and charges in this behalfe laid Out and expended and the Said John in mercy.

Henry Aspinall
ag^t
Stephen Murty
John Browne
ag^t
William King
Hugh Magarro
ag^t
Robert Doyne
John Quigley
ag^t
William Berry
John Quigley
ag^t
James Berry

these five causes agreed.

Charles Delaroch
ag^t
Tobias Wells execut^r
Mary Pyne

Tobias Wells late of Kent County executor of the last will and Testament of Mary Pyne deceased was Sumōned to answer unto Charles Delaroch in a plea that he render unto him the summe of One thousand pounds of tobacco which from him he unjustly deteineth

And whereupon the Said Charles by Kenelm Cheseldyn his Attorny Saith that whereas the Said Mary in her life time to witt the fifth day of March in the yeare 1672 did by her certaine writeing Obligatory Sealed with the Seale of the Said Mary here in Court produced whose date is the day and yeare abovewritten bind her Selfe her heirs executors administrators or assignes to pay or cause to be paid unto the Said Charles Delaroch his heirs execut^{rs} administrators or assignes the just and full Summe of One thousand pounds of good Sound merchantable tobacco and caske at or upon the tenth p. 283 day of October next ensueing the date thereof Notwithstanding which the Said Mary Pyne the Said Summe of One thousand pounds of tobacco though often thereunto required to him the Said Charles in her life time hath not paid according to the tenor of the Said bill nor the Said Tobias Since her death executor of the last will and Testament of the Said Mary but the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Charles two thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said Tobias by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that the aforesaid Charles Ought not to have his action against him because he Saith he hath fully administred all the goods and Chattells that were of the aforesaid Mary at the time of her death and that he hath no goods or Chattells which were the aforesaid Mary at the time of her death in his hands to be administred nor had the day the issueing forth the Originall writt of him the Said Charles nor at any time after and this he is ready to averre whereupon he demands judgment if the aforesaid Charles ought thereupon to have his action aforesaid against him. Liber M M

And the aforesaid Charles Saith that he Ought not to be debarred has action aforesaid because he Saith that the aforesaid Tobias Wells hath not fully administred all and Singular the goods and Chattells which were the aforesaid Mary at the time of her death in his hands to be administred and were at the day of the issueing forth of the Originall writt of him the Said Charles and Still is and this he prayeth may be enquired of by the Country.

Now here at this day came the Said Charles by Kenelm Cheseldyn his Attorny and the Said Tobias likewise came and Saith nothing in barr of the action aforesaid of him the Said Charles therefore it is considered by the Court here that the Said Charles recover against the Said Tobias the said Summe of One thousand pounds of tobacco but So as execution cease untill assetts come to his hands of the estate of the Said Mary Pyne deceased.

John Balley agt Richard Bayly } Richard Bayly of the County of Calvert Inholder was Summoned to answer unto John Balley of the County of St Maries in a plea that he render unto him five thousand Six hundred and thirty pounds of tobacco which he oweth and unjustly deteineth

And whereupon the said John Balley by George Oldfeild his Attorny Saith that whereas the Said Richard Bayly upon the tenth day of July One thousand Six hundred Seventy foure and in the three and fortith yeare of the Dominion of Caecilius &c by his certaine bill Obligatory Sealed with the Seale of him the Said Richard Bayly beareing date as abovesaid and here in Court produced did bind himselfe his heirs executors and administrators to pay unto the Said John Balley his heirs executors administrators or assignes the just and full Summe of five thousand Six hundred and thirty pounds of tobacco good Sound and merchantable according to Act of Assembly to be paid upon demand in Some convenient place in the River of Petuxent which said Summe of five thousand Six hundred and thirty pounds of tobacco and caske he the Said Richard hath not paid though often thereunto required and the Same to pay doth Still altogether refuse whereupon the Said John Balley Saith he is dampnified and losse hath to the value of eight thousand pounds of tobacco and thereupon he bringeth his Suite. p. 284

And the Said Richard by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of

Liber M M Speakeing hereunto untill the next Provinciall Court and the Same day is given to both parties.

Now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c came the Said John Balley by George Oldfeild his Attorny and the Said Richard Bayly in his proper person likewise came and the Said Richard Saith nothing in barr or avoidance of the action aforesaid of the Said John whereupon the Said John remaineth against the Said Richard thereof undefended therefore it is considered by the Court here that the Said John Balley recover against the Said Richard Bayly aswell the Said Summe of five thousand Six hundred and thirty pounds of tobacco his debt aforesaid as also the summe of One thousand thirty nine pounds of tobacco more for his costs and charges in this behalfe laid Out and expended and the Said Richard in mercy.

Garrett Vansweringen
& John Quigley
agt
Evan Carrew

Evan Carew late of St Maries County otherwise called Even Carew of St Maries County in the Province of Maryland was Sumõned to answer unto Garrett Vansweringen and John Quigley in a plea that hee render unto them the Summe of eight hundred ninty One pounds of tobacco which to them he oweth and unjustly deteineth.

And whereupon the Said Garrett and John by Kenelm Cheseldyn their Attorny Say that whereas the Said Evan the third day of October in the yeare 1672 did by his certaine writeing Obligatory Sealed with the Seale of the Said Evan here in Court produced whose date is the day and yeare abovewritten acknowledge himselfe to be holden and firmly bounden unto Garrett Vansweringen and John Quigley of the City of St Maries in the Province of Maryland the full Sum̃e of foure hundred Sixty Seaven pounds of tobacco Sound and merchantable tobacco for accomodations received to be paid to the Said Garrett Vansweringen and John Quigley their certaine Attorny their heirs executors administrators or assignes or either of them convenient in St Maries County aforesaid upon all demands to which payment well and truly to be paid he did bind himselfe his heirs executors administrators firmly by these presents And whereas the Said Even the third day of December in the yeare 1672 by his certaine other writeing Obligatory Sealed with the Seale of the Said Evan here in Court produced whose date is the same day and yeare next abovewritten acknowledge himselfe holden and firmly bound unto the said Garrett Vansweringen and John Quigley of the Citty of St Maries in the Province of Maryland in the full quantity of foure hundred twenty foure pounds of good Sound merchantable tobacco in caske being for accomodations already received to be paid unto the said Garrett Vansweringen and John Quigley their heirs

Liber M M

executors or assignes or either of them convenient in the County aforesaid upon all demand To which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those presents Notwithstanding which the Said Even Carrew p. 285 the Said Severall Summes of foure hundred twenty foure pounds of tobacco and foure hundred Sixty Seaven pounds of tobacco in the whole amounting to the summe of eight hundred ninty One pounds of tobacco though often thereunto required hath not paid but the Same to pay hitherto hath and Still doth altogether deny to the damage of them the Said Garrett and John One thousand pounds of tobacco And thereupon they bring their Suite.

And the Said Evan Carew in his Proper person in the Custody of the Sheriff of S^t Maries County cometh and defendeth the force and injury when &c and Saith nothing in barr or avoidance of the action aforesaid of them the Said Garrett and John Whereupon the Said Garrett and John remaine against the Said Evan thereof undefended therefore it is considered by the Court here that the Said Garrett and John recover against the Said Evan Carew their debt of eight hundred ninty One pounds of tobacco aforesaid as also the Sum̃e of pounds of tobacco for their costs and charges in that behalfe laid Out and expended and the Said Evan in mercy.

The Lord Proprietary
ag^t
Garrett Vansweringen
The Same
ag^t
John Barnes execut^r
Walter Waterling

Ordered that the Com̃issary Gen^{ll} for probate of Wills and granting administracōns receive State and audite the accompt of the administration of the estate of W^m Hattost deceased and report thereof make to the justices of the next Provinciall Court.

Charles Delaroch
ag^t
John Allen adm^r
W^m Jackson

John Allen late of Charles County Sheriff Administrat^r of the goods and Chattells of William Jackson deceased was attached to answer Charles Delaroch in a plea of trespas upon the case.

And whereupon the Said Charles by Kenelm Cheseldyn his Attorny complaineth that whereas the Said William Jackson his life time the fourth day of May in the yeare 1673 Stood indebted to the Said Charles for divers liquors and Other accōmodations received at the house of him the said Charles as also for foure peices of eight lent him the Said William a particular of all which is here in Court produced amounting in the whole to eight hundred and fifty pounds of tobacco In consideration whereof the Said William did assume upon himselfe & to the said Charles did faithfully promise that he the said William when thereunto required to him the Said Charles the said summe of eight hundred and fifty pounds of tobacco would well and truly content and pay Notwithstanding which the said William

Liber M M though often thereunto required the said summe of eight hundred and fifty pounds of tobacco to him the said Charles in his life time hath not paid nor the said John Since his death to whom administration of all and Singular the goods and Chattells which were the Said Williams at the time of his Death Since his death hath been Committed but the same to pay hath and Still doth deny to the damage of the said Charles twelve hundred pounds of tobacco & thereupon he bringeth his Suite

And the said John Allen by Samuel Cressey his Attorny cometh & defendeth the force and injury when &c and Saith that the Said p. 286 Charles his Action against him Ought not to have because he Saith that he hath fully administred all and Singular the Goods Chattells Rights & Creditts which were of the Said William and to his hands ever came and this he is ready to averr.

Now have at this day to witt the ninth day of December in the 43th yeare of the Dominion of Caecilius &c came the said Charles Delaroch by Kenelm Cheseldyn his Attorny and Offered himselfe agt the Said John Allen but the said John came not but made default Therefore it is considered by the Court here that the Said Charles recover against the estate of the Said William Jackson in the hands of the Said John Allen the said Summe of eight hundred and fifty pounds of tobacco his debt aforesaid.

Charles Delaroch agt John Allen admr William Jackson	John Allen late of Charles County Sheriff Administrator of the goods and Chattells of William Jackson deceased was Sum̄oned to answer Charles Delaroch in a plea that he render unto him the summe of Seaven hundred Seventy Six pounds of tobacco wch from him he unjustly deteineth.

And whereupon the Said Charles by Kenelm Cheseldyn his Attorny Saith that whereas the Said William in his life time the third day of May in the yeare 1673 did by his certaine writeing Obligatory Sealed with the Seale of the Said William here in Court produced whose date is the same day & yeare abovewritten acknowledge himselfe to owe and Stand indebted unto the Said Charles of the Said County and Province the Summe of Seaven hundred Seventy Six pounds of tobacco in leafe Sound and good in caske and for the paymt thereof well and truly to be made at Some convenient place in Petuxent River at or upon the tenth day of October next ensueing the date thereof unto the Said Charles Delaroch his heirs executors administrators or assignes did bind himself his heirs executors administrators and assignes firmly by those presents Notwithstanding which the Said William the said summe of Seaven hundred Seventy Six pounds of tobacco according to the tenor of his said bill though often thereunto required in his life time hath not paid nor the said

John Since his death to whom administration of all and Singular the goods and Chattells which were the Said William at the time of his death Since his death hath been committed but the same to pay hath and Still doth deny to the damage of the said Charles One thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said John Allen by Samuel Cressey his Attorny cometh and defendeth the force and injury when &c and Saith that the said Charles Delaroch his action against him Ought not to have because he Saith that he hath fully administred all and Singular the goods chattells rights & Creditts which were of the Said William and to his hands ever came and this he is ready to averr.

Now here at this day to witt the ninth day of December in the 48th yeare of the Dominion of Caecilius &c Annoꝗ Dom̃ 1674 came the Said Charles Delaroch by Kenelm Cheseldyn his Attorny and offered himselfe against the Said John in the plea aforesaid but the said John came not but made default Therefore it is considered by the Court here that the said Charles recover against the estate of the said William in the hands of the said John Allen the said summe of Seaven hundred Seventy Six pounds of tobacco his debt aforesaid.

p. 287

Anne Neale
agt
John Allen
Henry Aspinall
agt
Stephen Murty
John Quigley
agt
James Berry
John Quigley
agt
Wm Berry
Josias ffendall
agt
John Allen

these five causes agreed.

Mary Thomas Admr
John Thomas
agt
John Allen admr
Nicholas Solby

John Allen late of Charles County High Sheriff Administratr of the goods and Chattells of Nicholas Solby of the said County Apothecary deceased was Summoned to answer unto Mary Thomas Administratrix of the goods and Chattells of John Thomas deceased in a plea that he render unto her the summe of Seaven thousand five hundred ninty two pounds of tobacco which from her he unjustly deteineth

Liber M M And whereupon the Said Mary by Kenelm Cheseldyn her Attorny Saith that whereas the Said Nicholas Solby in his life time the nineteenth day of March in the yeare 1672 did by his certaine writeing Obligatory Sealed with the Seale of the said Nicholas here in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs executors adm^{rs} to pay unto the said John Thomas of the County of Stafford merchant or his certaine Attorny the full and just quantity of Seaven thousand five hundred ninty two pounds of every way good conditioned large arrenoco tobacco and caske cleere of ground leaves and trash tobacco the tenth day of October next upon his Owne plantation in Nangemy Notwithstanding which the Said Nicholas in his life time nor the aforesaid John Since the death of the Said Nicholas to whom the administration of all the goods which were the aforesaid Nicholas at the time of his death after his death to the said John committed hath not paid to the said John Thomas in his life time nor to the said Mary Since his death to whom administration of all and Singular the goods and Chattells which were the said John Thomas at the time of his death after his death to her committed hath not paid though often thereunto required but the same to pay hath and Still doth altogether deny to the damage of the said Mary tenn thousand pounds of tobacco and thereupon she bringeth her Suite.

And the Said Mary also bringeth here in Court the letters of administration to her granted of all and singular the goods and Chattells which were the said John at the time of his death Since his death to her committed that it may appeare to the Court here that she is adm^{rx} of the said John and thereof to have administration

p. 288 And the Said John Allen by Samuel Cressey his Attorny cometh and defendeth the force and injury when &c and the said John Saith that the Said Mary Thomas her action aforesaid Ought not to have because he Saith that he hath fully administred all and Singular the Goods Chattells rights and Creditts which were of the said Nicholas and to his hands ever came and this he is ready to averre

Now here at this day to witt the ninth day of December came the said Mary Thomas by Kenelm Cheseldyn her Attorny and the said John Allen by Samuel Cressey his Attorny and the said John Allen saith nothing in barr of the action aforesaid of her the Said Mary whereupon the said Mary remaineth against the said John thereof undefended Therefore it is considered by the Court here that the said Mary recover against the said John Allen as administrator aforesaid the said summe of Seaven thousand five hundred ninty two pounds of tobacco but so as execution thereof cease untill assetts come to his hands.

Liber M M

John Dunston
ag^{t}
John Allen adm^{r}
Nicholas Solby
Daniel Jenifer
ag^{t}
Jonathan Squire adm^{r}
John Morecroft.
Lord Proprietary
ag^{t}
Luke Barbier
Thomas Carleton
ag^{t}
John Hall & al̄
these foure causes continued untill next Provinciall Court.

Edward Armstrong
ag^{t}
John Anderson
the def^{t} not appeareing by himselfe or Attorny to defend this Suite and the Sheriff being heretofore Amerced for his default herein Ordered that he be reamerced.

Edmund Hinchman[?]
ag^{t}
Samuel Hatton
Continued and to tryall next Court.

Robert Carvile
ag^{t}
ffrancis Kilborne
the Sheriff of Charles County haveing returned a Cepi last Court and the def^{t} not appeareing by himselfe or Attorny Ordered that the Sheriff be amerced 40^{s}.

Daniel Jenifer
ag^{t}
John Maning
John Waterton
ag^{t}
John Desiardine
these two causes continued untill next Court.

p. 289

John Ashcomb
ag^{t}
Richard Meekins
the Same
ag^{t}
the Same
these two causes agreed.

Edward Savage
ag^{t}
John Clements

Liber M M John Clements
ag^t
James Cleyland
John Moll
ag^t
Henry Brayne
George Robbins
ag^t
Henry Brayne
Robert Edmunds
ag^t
Richard Bayly
Jonathan Squire adm^r
Jn^o Morecroft
ag^t
Tobias Wells execut^r
Mary Pyne.

these Six causes continued untill next Provinciall Court.

Samuel Cressey
ag^t
Richard Boughton
Charles James
ag^t
Michael Williams
Charles James
agt
Thomas Dale & ux
Walter Sencerfe
ag^t
Edward Roe
The same
ag^t
The same
Andrew Higgs
agt
Robert Woolerton

these Six causes agreed.

John Ingram Gilbert
ag^t
John Ingram

this cause continued untill next Court.

p. 290 Garrett Vansweringen
ag^t
Thomas Lomax
Ralph Dawson
agt
James Cleyland

Vincent Lowe
agt
Wm Burges.
Vincent Lowe
agt
Kenelm Cheseldyn
Jeremiah Eaton
agt
Thomas Phillipps
John Balley
agt
Marke Cordea

these Six causes Continued untill next Court.

Marke Cordea
agt
John Balley
the same
agt
the same
the same
agt
the same

these three causes continued by Consent

Upon the Petition of Nicholas Guither That whereas the Honble the Chancellour did bind the Petitioners Brother Owen Guither over unto Mr George Thompson untill he came to the full age of One and twenty yeares engageing the Said Thompson to educate the Said Owen in learning him to read write and cast accompt which the said Thompson hath not done but altogether neglecting his engagement therein and only imploying his Said Brother in Servile labour and hath putt him under an Overseer contrary to covenant whereupon the Petitioner prayeth this Court that the said Owen may be released from the said Thompson and be with the Petitioner who will act a Brothers part in the education of the Said Owen free from Servile labour.

It is by the Court here Ordered that the said Owen Guither be discharged from the Said George Thompson and be at his liberty.

Upon the Petition of Kenelm Cheseldyn Robert Carvile and John Rousby Attornyes of this Court That the Petitioners being absent at the Sitting of th[is] Court On Satturday last the Court proceeded to the calling the Docquett and for want of the Petitioners attendance the Court did nonsuite and give judgment against Severall of the Petitioners Clyents who are thereby very much dampnified. The Petitioners Pray that in regard they did not heare the last beateing of the Drumm being a windy morning and that it was

Liber M M not a willful default of the Petitioners they humbly pray that the said causes may be reteined and their Clyents not Suffer for this default.

p. 291 Ordered by the Court here that the Petitioners be fined to his Lop̄p the Lord Proprietary the sume of foure hundred pounds of tobacco apeice.

Garrett Vansweringen
ag^t
John Balley

Comānd was given to the Sheriff of S^t Maries County that Whereas at a Provinciall Court held at the Citty of S^t Maries the tenth day of December in the 41th yeare of his Lop̄ps Dominion &c Annoqȝ Dom̄ 1672 in a cause depending betweene Garrett Vansweringen plaintiff and John Balley defendant it was then and there considered by the justices of the same Court that the said Garrett Vansweringen recover against the Said John Balley aswell the Summe of Seaven thousand Six hundred Seventy Seaven pounds of tobacco for his damages by Occasion of the premisses as also the summe of eight hundred and fifty pounds of tobacco for his costs and charges expended in the said Suite which said Summes amounting unto eight thousand five hundred twenty Seaven pounds of tobacco he the Said John Balley hath not Satisffied wherefore execution. for the same remaineth to be made Therefore it was com̄anded the Same Sheriff that by good and lawfull men of his Bailiwick he make Knowne to the Said John Balley that he be before his Lop̄ps justices here the thirtenth day of October to Shew cause if any he have why execution should not issue upon the judgment aforesaid against him and in what manner he execute the same p^{r}cept he make Knowne to The justices here.

And which Said thirtenth day of October in the 43th yeare of his Lop̄ps Dominion &c the Same Sheriff Saith That he hath made Knowne unto the Said John Balley before M^r Charles Delaroch and M^r Kenelm Cheseldyn that he be and appeare at the day and place as is required. And the said Garrett Vansweringen by Kenelm Cheseldyn his Attorny and the said John Balley by George Oldfield likewise came, and the Said John Balley prayed liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him the same day is given unto both parties here.

Afterwards to witt the twelfth day of December in the 43th yeare of his Lordshipps Dominion &c Came the said Garret by his Attorny aforesd and the said John Balley by his Attorny came likewise And the Said John Balley Saith that the Said Garrett Ought not to have execution against him for the Said eight thousand five hundred twenty Seaven pounds of tobacco damages and costs at the Said Provinciall Court held at S^t Maries On the said tenth day of December One thousand Six hundred Seventy two by the said Garrett against the Said John in forme aforesaid recovered because he Saith Liber M M that he the said John the Said Garrett the said Summe of eight thousand five hundred twenty Seaven pounds of tobacco hath paid and Satisfied according to the judgment of the justices of the said Court and this he is ready to averre and therefore demandeth the judgment of this Court if the Said Garrett execution against him the said John Ought to have.

And the Said John Balley produceth here in Court One certaine bill or writeing Obligatory of him the said Garrett Vanswerengen under his hand and Seale beareing date the fiftenth day of ffebruary One thousand Six hundred Sixty eight for twelve thousand pounds of tobacco payable to John Nethway of ffyall merchant and Comp^{a}. upon the tenth day of November then next ensueing the date of the said bill and also an accompt of Sixty Six gallons of wine Sold and delivered him for One thousand Six hundred and fifty pounds of tobacco. which said severall Summes amount in the whole to thirteene thousand Six hundred and fifty pounds of tobacco. the said Garrett Vanswerengen in his proper person did acknowledge to be and Stand indebted unto the Said John Balley the Said Summe of p. 292 thirteen thousand Six hundred and fifty pounds of tobacco. Therefore it is considered by the Court here that the judgment aforesaid Should be revoked nulled and taken for nothing and that the Said John Balley should be restored to all things which he had lost by Occasion of the judgment aforesaid

Garrett Vanswerengen
ag^{t}
John Balley

Com̃and was given unto the Sheriff of S^{t} Maries County That whereas at a Provinciall Court held at the City of S^{t} Maries the tenth day of December in the 41th yeare of the Dominion of Caecilius &c Annoqȝ Dom̃ 1672 in a cause depending betweene Garrett Vansweringen plaintiff and John Balley defendant. it was then and there considered by the Same Court that the Said Garrett recover against the Said John Balley aswell the sume of Sixteene thousand three hundred Sixty and Seaven pounds of tobacco for his damages by occasion of the premisses as also the summe of eleaven hundred and thirty pounds of tobacco for his costs and charges expended in the same Suite which said Summes amounting to Seventeene thousand three hundred ninty Seven pounds of tobacco he the Said John Balley hath not Satisfied wherefore execution for the same remaineth to be made It was therefore Com̃anded the same Sheriff that by good and lawfull men of his Bailiwick he make Knowne to the said John Balley that he be and appeare before the justices of the said Court the thirtenth day of October to shew cause if any he have why execution should not issue upon the judgment abovesaid against

Liber M M him and in what manner he execute the same he make Knowne to the justices here.

Att which said thirtenth day of October in the 43th yeare of his Lopp̄s Dominion &c the same Sheriff Saith he hath made Knowne unto the said John Balley in the presence of Mr Kenelm Cheseldyn and Mr Charles Delaroch that he be and appeare at the day and place as is required.

And the said Garrett Vansweringen by Kenelm Cheseldyn his Attorny and the said John Balley by George Oldfeild his Attorny likewise came and the said John prayed liberty of Speakeing hereunto untill the next Provinciall Court and it is granted unto him by the Court here the Same day is given to both parties.

Afterwards to witt the 12th day of December in the yeare aforesaid came the said Garrett Vansweringen and the said John Balley by their Attornys aforesaid and the said John Saith that the said Garrett Ought not to have execution against him the said John for the Said Sixteene thousand three hundred Sixty Seaven pounds of tobacco damages and the said eleaven hundred and thirty pounds of tobacco costs at the said Provinciall Court held at St Maries On the said tenth day of December 1672 by the said Garrett against the said John in forme aforesaid recovered because he Saith that the Said John did take Out a Subpoena for Marke Cordea of St Maries County Gent who was the cheife evidence for the said John in the Said cause and was privy to all the transactions between the Said Garrett and the Said John to appeare before the said Justices the Said tenth day of December 1672 then and there to testifie the truth of his Knowledge in the said cause On the part of the Said John and the said Marke Cordea was then Out of the Province Vizt at New-York. By reason of the absence of which said Wittnes the said Garrett by Surprize the judgment aforesaid against the said John unduly and Surreptitiously did obtaine and whereupon the said John prayeth the advice of this Court if the Said Garrett execution against the said John upon the judgment aforesaid ought to have.

p. 293 And the said Garrett Vansweringen in his proper person Saith that as to five thousand One hundred twenty three pounds of tobacco part of the said summe of Seventeene thousand three hundred ninty Seaven pounds of tobacco he doth in Open Court acknowledge to be fully Satisfied and paid and the said John Bayly as to the summe of twelve thousand two hundred Seventy foure pounds of tobacco the remainder of the judgment aforesaid Saith nothing in barr or avoidance of execution thereupon Therefore it is considered by the Court here that the said Garrett Vansweringen have execution against the said John Balley aswell for the said Summe of twelve thousand two hundred Seventy foure pounds of tobacco the remainder of the judgment aforesaid as also the summe of Six hundred and twelve pounds of tobacco for his costs and Charges in this behalfe expended and laid out.

Richard ffountaine
ag^t
Henry Hawkins
John Blomfeild
ag^t
Benjamin Hunton
the same
ag^t
Philip Rossell & George Mathews
these three causes continued by the Consent of the Attornyes on both sides.

George Charlsworth
ag^t
Charles Delaroch
Garrett Vansweringen
ag^t
Richard Moy
John Barnes
ag^t
Richard Moy
Thomas Doxey
ag^t
George Marshall adm^r Joseph Brough
George Marshall adm^r Joseph Brough
ag^t
Thomas Doxey
these five causes continued untill next Court.

Upon the Petition of Elizabeth Greene That her husband Walter Greene being indebted to Severall persons in this Province and being arrested and haveing little or nothing to satisfie his Creditors the Petitioner was content to part with her cloathes or any thing she had to comply for the satisffaction thereof and sithence being left with a Child by her husband and haveing not wherewith to Susteine them her husband leaveing her to the disposall of the Charity of well p. 294
affected persons

Ordered that the Com̄issioners of S^t Maries County Court take care for a competent mainteinance for the Petitioner and her Child.

Thomas Gant
ag^t
ffrancis Swinfen
The plaintiffs wittnesses being Summoned and attending this Court Ordered they be allowed and paid for the same by the plaintiff and the cause continued untill the next Court.

Liber M M Job Corner
agt
Robert Ingoldsby

in ejectment.
the Survey with the Verdict of the jury to enquire of and upon the land in question being returned this cause continued untill next Court.

Thomas Taylor of Dorchester County planter was admitted in form a pauperis and chose Kenelm Cheseldyn his Attorny who was allowed off by the Court here

John Hilliard
agt
George Johnson

this cause being upon an appeale from the County Court of Somerset County and the defendant appeareing by Robert Carvile his Attorny and the plaintiff makeing default herein Ordered that a procedendo be granted the defendant in this cause.

Samuel Chew Esqȝ and Robert Conant being Summoned as evidences on the part of Thomas Chandler and Wm Russell at suite John Wells and the cause being dismist and attending here when the same Should come to tryall

Ordered that the Said Thomas Chandler and Wm Russell Satisfie & pay to the said wittnesses nine hundred and twenty pounds of tobacco apeice for their Attendance, horses and fferrying their horses.

Samuel Winslow admr of Henry Webb
agt
John Bowles executr Wm Battin

John Bowles late of Charles County Gent executor of the last will and Testament of William Battin merchant deceased was attached to answer unto Samuel Winslow Administrator of the goods and Chattells of Henry Webb mercht deceased in a plea of trespas upon the case.

And whereupon the said Samuel by John Morecroft his Attorny complaineth that whereas the said Wm Battin in his life time to witt the 22th day of April in the yeare 1654 Stood indebted to the Said Henry Webb in his life time (to witt the two and twentith day of April in the yeare aforesaid) in the sum̄e of twenty pounds Sterling and for thirty pounds in provisions In consideration thereof did assume upon himselfe and to the said Henry did faithfully promise to pay or cause to be paid to the said Henry Webb or his assignes Vizt to Joshua Woolnough or whom the Said Henry should Order in London to receive the full Summe of fifty pounds Sterling and the Said William did also in his life time then and there also assume

upon himselfe and to the Said Henry faithfully promise that he Liber M M
the said William would Shipp a quantity of very good Virginia tobacco by the first good Shipp that goeth from Virginia to London after the fiftenth of October the next for the Satisfaction of the fifty pounds sterl Provided the said Henry Webb was to stand to the danger of the Seas for the One halfe of the aforesaid Summe of p. 295
fifty pounds which is for twenty and five pounds Notwithstanding which the said William in his life tyme his said promises and assumptions So as aforesaid in his life time to the said Henry in his life time made little regarding but deviseing and intending him the said Henry of the said fifty pounds to deceive the said fifty pounds to him the said Joshua Woolnough or to any other by the said Henry his Order hath not paid but the same to him to pay though often required doth refuse to the great damage of him the said Samuel and whereupon he saith he is dampnified and hath losse to the value of One hundred pounds Sterling and thereupon he bringeth his Suite And he the Said Samuel bringeth here into Court the said Letters of Administration to him by the Honble Philip Calvert Esqꝫ Cheife judge and Com̄issary for probate of Wills and granting administrations granted whereby it may plainly & Sufficiently appeare to the Court that the said Samuel is admr of the goods and Chattells of the said Henry and thereof hath the administration.

And the said John by Robert Carvile his Attorny Saith that the Said William Battin did not assume upon himselfe and to the said Henry Webb promise in manner and forme as the said Samuel hath above declared against him and of this he putts himself upon the Country and the plaintiff likewise therefore it is Comanded the sheriff of St Maries County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because as well &c.

Now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1674 Came the Said Samuel by Kenelm Cheseldyn his Attorny the Said John Bowles by Robert Carvile his Attorny and the jurors of that jury likewise came to witt Mathew Stone Thomas Gant Joseph Edloe Thomas Doxey John Balley George Gunnell Peter Watts Edward Winckes John Hollins Gerard Slye William Harper & Richard Bayly Who being impannelled sumōned and Sworne to say the truth in the premisses upon their Oathes doe say Wee of the jury doe find for the Plaintiff with costs of Suite. Therefore it is considered by the Court here that the Said Samuel Winslow recover against the estate of the Said William Battin deceased the said Summe of fifty pounds Sterling as also against the said John Bowles the summe of One thousand One hundred Sixty Seaven pounds of tobacco for his costs and charges in this behalfe expended and laid Out.

Liber M M
Samuel Winslow admr
Henry Webb
agt
John Bowles executr
Wm Battin

John Bowles late of Charles County Gent executor of the last will and Testament of William Battin merchant deceased was attached to answer unto Samuel Winslow administrator of the goods and Chattells of Henry Webb merchant deceased of a plea of trespas upon the case.

And whereupon the Said Samuel by John Morecroft his Attorny complaineth that whereas the Said William Battin in his life tyme to witt the twelfth day of September One thousand Six hundred fifty three Stood indebted to the said Henry Webb in his life time in p. 296 the Summe of fifty five pounds foure Shillings three pence Sterling for divers goods and merchandizes before that time Sold by him the said Henry in his life time to him the said William in his life time In consideration whereof the said William in his life time did assume upon himselfe and then and there to the Said Henry in his life did faithfully promise that he the said William would Shipp in the first good Shipp as should present to him the full value in the best large merchantable tobacco at the rate of three pence ₱ pound to be consigned to Mr Joshua Woolnaugh at the Kings head in Gratious[?] Street London which tobacco was to be sold at the best by the Said Joshua Woolnough and the Said Henry Webb was to run the Riscs of the Seas and the Said Battin to stand to the markett prices and if the said quantity of tobacco did clearely give more then three pence ₱ pound all charges deducted then the Overplus to be devided betwixt the sd Webb and Battin and for the performance the said Battin did bind himselfe in the double value Notwithstanding which the said William Battin in his life time nor the said John Bowles the executor after his death hath shipped the full value of the said fifty five pounds four shillings three pence Sterling at the rate abovesaid and the same consigned to the said Joshua Woolnough as aforesaid nor the double Value of the said fifty five pounds foure shillings three pence Sterl to him the said Henry Webb in his life time nor to him the said Samuel after his death to whom administration of all and Singular the goods and chattells of him the Said Henry Webb within this Province was committed according to his promise hath not Satisfied according to his Promise aforesaid but the Same to him to pay and Satisfie doth altogether refuse whereupon he Saith he is dampnified and hath losse to the value of One hundred and fifty pounds Sterling and thereupon he bringeth his Suite. And he the said Samuel bringeth her in Court the said letters of administration to him by the Honble Philip Calvert Esq Cheife judge for probate of wills and granting administrations granted by which it may appeare to the Court here that he is the administrator of him the Said Henry.

And the Said John by Robert Carvile his Attorny Saith that the

Liber M M

Said William Battin did not assume upon himselfe and to the said Henry Webb promise in manner and forme as the said Samuel hath above declared against him and of this he putts himselfe upon the County and the plaintiff likewise Therefore it is Com̄anded the Sheriff of S^{t} Maries County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c.

Now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c Came the Said Samuel Winslow by Kenelm Cheseldyn his Attorny and the Said John Bowles by Robert Carvile his Attorny and the jurors of that jury likewise came to witt Philip Lynes John Bigger Richard ffountaine Lodowick Williams Richard Bayly George Marshall Thomas Doxey Thomas Gant Thomas Kemp John Hollins George Gunnell and Richard Rigell who being impannelled Summoned and Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff to be paid to him by the defendant fifty eight pounds nine shillings and three pence damages and costs of Suite Therefore it is considered by the Court here that the Said Sam^{l} recover against the estate of the said W^{m} Battin the said summe of fifty eight pounds nine shillings three pence Sterling as also against the said John the summe of eleaven hundred Sixty Seaven pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Samuel Winslow adm^{r}
Henry Webb
ag^{t}
John Bowles execut^{r}
W^{m} Battin

John Bowles late of Charles County Gent executor of the last will and Testament of W^{m} Battin merchant deceased was attached to answer unto Samuel Winslow adm^{r} of the Goods and Chattells of Henry Webb Merchant deceased in a plea of trespas upon the case. p. 297

And whereupon the Said Samuel by John Morecroft his Attorny complaineth that whereas the Said W^{m} Battin in his life time the Sixth day of September in the yeare One thousand six hundred fifty foure Stood indebted to him the Said Henry Webb in his life time in the Summe of Sixty pounds and eight Shillings Sterling for divers goods and Merchandizes by him the Said Henry in his life time before that Sold and delivered him the Said William in his life time In consideration whereof the said William in his life time did then and there assume upon himselfe and to the said Henry in his life time did faithfully promise to pay or cause to be paid unto the Said Henry Webb his executors or assignes the summe of Sixty pounds eight Shillings Sterling in London unto M^{r} Joshua Woolnough his assignes and for paym^{t} thereof the Said William Battin was to Shipp the full value thereof in the first Shipp or Shippes in very good merchantable leafe tobacco and consigne it to the Said Joshua Wooll-

Liber M M nough or his assignes for compleateing the full Sume aforesaid And the said Henry Webb was to Stand to the adventure of the Said tobacco to England Notwithstanding which the said William in his life time nor the Said John Since his death the said Sume of Sixty pounds and eight Shillings Sterling to him the said Henry in his life nor to the said Samuel after his death hath not paid but the same to him to pay doth refuse and also whereas William Battin in his life time Stood also indebted to the Said Henry in his life time to witt the 29th day of September in the yeare 1654 in the Sume of three pounds five shillings for divers other goods and merchandizes by him the said Henry in his life time Sold to him the Said W^m^ in his life time in consideration whereof the said W^m^ did assume upon himselfe to pay to the said Henry in his life time in manner and forme as is above expressed Notwithstanding which the Said William in his life time nor the said John after his death the said Summe of three pounds five shillings according to the promise of the Said W^m^ in his life time hath not paid but the same to pay doth altogether refuse whereupon he Saith he is dampnified and hath losse to the Value of One hundred pounds Sterling and thereupon he bringeth his Suite and he bringeth into Court the Said Letters of administration by the Hon^ble^ Philip Calvert Esq Cheife judge and Comissary for the Probate of Wills and granting of administrations granted whereby it may appeare to the Court here that the Said Samuel is the Administrator of the goods and Chattells of him the Said Henry.

And the Said John by Robert Carvile his Attorny Saith that the said W^m^ Battin did not assume upon himselfe and to the Said Henry Webb promise in manner and forme as the Said Samuel hath above declared against him and of this he putts himselfe upon the Country and the plaintiff likewise. Therefore Comand is given to the Sheriff of S^t^ Maries County that he cause to come here twelve &c who neither &c by whom &c to recognize &c because aswell &c.

p. 398 Now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c came the Said Samuell by Kenelm Cheseldyn his Attorny and the Said John by Robert Carvile his Attorny and the jurors of that jury likewise came to witt Philip Lines John Bigger Richard ffountaine Lodowick Williams Richard Bayly George Marshall Thomas Doxey Thomas Gant Thomas Kemp John Hollins George Gunnell and Richard Rigell Who being impannelled Sumoned & sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff that the defendant pay unto him Sixty three pounds thirteene Shillings and also foure pounds damages with costs of Suite. Therefore it is considered by the Court here that the Said Samuel recover against the Said John of the estate of the Said W^m^ Battin the summe of Sixty Seaven pounds thirteene Shillings as also the Sume of One thousand One hundred Sixty Seaven pounds of tobacco for his costs and charges in this behalfe laid Out and expended against the said John Bowles. Liber M M

John Peerce agt John Code } John Code late of St Maries County in the Province of Maryland Gent was attached to answer unto John Peerce Chirurgeon of a plea of trespas upon the case.

And whereupon the said John Peerce by Robert Carvile his Attorny complaineth that whereas the Said John Code the nineteenth day of May in the yeare of Our Lord One thousand Six hundred Seventy two and some time before did greviously languish and was taken and held with a certaine disease or Sicknesse called a Seasoning at Pyney Point in St Georges Hundred in St Maries County aforesaid the Said John Code did send for the Said John Peerce and upon the Said ninetenth day of May at Pyney Point aforesaid in consideration that he the Said John Peerce at the Speciall instance & request of him the Said John Code would heale and Cure the Said John Code of the Said desease called the Seasoning and attend him the Said John Code in his Sicknesse did assume upon himselfe and to the Said John Peerce did faithfully promise that he the aforesaid John Code for his healeing and Cure of his desease aforesaid and for the Said John Peerce his attendance on him in Sicknesse aforesaid when he should be thereunto required would pay unto him the Said John Peerce Such a Summe of tobacco as he the said John Peerce in that behalfe should reasonably deserve to have And the Said John Peerce in fact Saith that he giveing creditt to the promise and assumption of the Said John Code he the Said John Peerce upon the Said nineteenth day of May and upon Severall other dayes and times dureing the time the Said John Code lay Sicke which was for above Six weekes after the Said nineteenth day of May aforesaid did constantly Visitt and attend the Said John Code and did administer to and make compound and provid for him the said John Code divers medicines planters drinkes Cordialls and other wholesome and fitt things to cure the said John Code of the Said distemper aforesaid called a Seasoning as aforesaid and though the said John Peerce did Cure and recover the Said John Code of the Sickness aforesaid and did reasonably deserve for the Said Cure to have the summe of ten thousand pounds of tobacco Yet the said John Code his promise and assumption aforesaid little regarding but plotting and fraudulently intending him the said John Peerce of the Said tenn thousand pounds of tobacco craftily to deceive and defraud the said sume of ten thousand pounds of tobacco or any parcell thereof unto him the Said John Peerce although unto this by him the said John Peerce after the Care aforesaid the said John Code was thereunto often required p. 399 according to his promise and assumption aforesaid hath not paid or to him the said John Peerce anywayes for the same contented but the same to him hitherto to pay hath altogether refused and yet refuseth whereupon he Saith he is dampnified and hath damage to the value of foureteene thousand pounds of tobacco and thereupon he bringeth his suite.

And the said John Code by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and Saith that the said John Code did not assume upon himself in manner and forme as the said John Peerce in his declaration above hath declared against him and of this he putts himselfe upon the Country and the said John Peerce likewise therefore it is Comanded the Sheriff of S^t^ Maries County twelve &c by whom &c who neither &c to recognize &c because aswell &c.

Now here at this day to witt the twelfth day of December in the three and fortith yeare of the Dominion of Caecilius &c came the said John Peerce by the said Robert Carvile his Attorny and the said John Code by Kenelm Cheseldyn his Attorny and the jurors of that jury likewise came to witt Philip Lines Abraham Rhodes Richard Rigell James Williams Tobias Wells Michael Miller John Rice George Charlesworth John Bigger Edward Skidmore Lodowick Williams and Stephen Murty who being impannelled Sumōned and Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff five thousand pounds of tobacco to be paid to him by the defend^t^ with costs of Suite therefore it is considered by the Court here that the said John Peerce recover against the said John Code the said Summe of five thousand pounds of tobacco with costs of Suite

And the said John Code by Kenelm Cheseldyn his Attorny prayeth heareing of the judgment aforesaid and it is read unto him and the said John Code Saith that he ought not to be burthened with the judgment aforesaid because he Saith because he Saith that the said John Peerce in his declaration aforesaid hath not Sett forth or declared what medicines plaisters drinkes Cordialls or other wholsome and fitt things the said John Peerce did administer unto him for the cure of the distemper or Sicknesse called a Seasoning in the declaration abovesaid and for that case the said judgm^t^ is insufficient in Law to charge the said John Code withall. and of this he prayeth the judgment of the justices here. that he may be discharged from the judgment aforesaid whereupon the said judgment being Seen and by the Said justices being fully examined and understood It seemed to the justices here that the allegations of the said John Code are untrue in his discharge from the judgment aforesaid Therefore it is considered that the said John Peerce recover against the said John Code aswell the Said Summe of five thousand pounds of tobacco as also the summe of Seaventeen hundred forty three pounds of tobacco for his costs and charges in this behalfe expended and laid Out & the said John Code in mercy.

Richard Hallett
ag^{t}
W^{m} Dunkerton
Walter Tucker & Comp^{a}
ag^{t}
the same
Walter Tucker & Comp^{a}
& Samuel Tucker
ag^{t}
the same.

these three causes continued untill next Court no returne of the Auditors being yet made.

Thomas Lomax
ag^{t}
John Code and
Susanna his wife

John Code late of S^{t} Maries County Gent and Susanna his wife were attached to answer unto Thomas Lomax Gent in a plea of trespas upon the case. p. 400

And whereupon the Said Thomas by Robert Carvile his Attorny Saith that whereas the Said Susanna while she was Sole to witt upon the Sixth day of January in the yeare of Our Lord One thousand Six hundred Seventy One in consideration that the said Thomas at the Speciall instance and request of her the said Susanna would come to the house of her the Said Susanna at Bushwood in S^{t} Maries County and would asist her in the Settling her papers bookes of accompts and other papers and writeings and reside at her Said house untill the Same were So perfected and Settled she the said Susanna did assume upon her Selfe and to the said Thomas did faithfully promise that she the said Susanna when after the Said accompts and papers were Settled and perfected she should be thereunto required would pay to him the said Thomas So much tobacco for his Salery for the Settling and perfecting the Said bookes and accompts as he the said Thomas in that behalfe should reasonably deserve to have And the said Thomas in fact Saith that although he did upon the hope of the faithfull performance of the aforesaid promise and assumptions of the said Susanna continue and reside at the said Susanna's house in the Said imployment of the said Susanna from the said Sixth day of January aforesaid untill the twelfth day of March One thousand Six hundred Seventy three being Six and twenty months and did dureing all that time Settle the papers and bookes of accompts of her the said Susanna and did writeing for her for Severall other buisnesses and did reasonably deserve for his Salery and paines for the same Six thousand nine hundred pounds of tobacco Yet the said Susanna while she was Sole nor the said John Since their intermarriage the promise and assumption aforesaid little regarding but fraudulently intending him the Said Thomas of the Said Six thousand nine hundred pounds of tobacco craftily to deceive and defraud the same Six thousand nine hundred pounds of tobacco nor any part thereof to him the said Thomas have not payd or contented though they have been thereunto often required

Liber M M but the same to him to content and pay have hitherto denyed and Still doe deny and refuse whereupon the said Thomas Saith he is dampnified and hath losse to the value of tenn thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said John and Susanna by Kenelm Cheseldyn their Attorny come & defend the force and injury when &c and Say they did not assume upon themselv[es] in manner and forme as the said Thomas in his declaration above he hath declared against them and of this they putt themselves upon the Country and the Said Thomas likewise therefore Comand is given to the Sheriff of S^{t} Maries County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c.

Now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c Came the said Thomas Lomax by Robert Carvile his Attorny and the said John and Susanna by Kenelm Cheseldyn their Attorny and the jurors of that jury came likewise to witt Thomas Cosden Thomas Gant Elias Beach Roger Towle Peter Watts Thomas Innis Richard Chilman Thomas Kemp William Harper James Lewis William West and Edward Savage who being impannelled Sumõned and Sworne to Say the truth in the premisses upon their Oathes doe Say Wee the jurors doe find for the plaintiff five thousand pounds of tobacco with costs of Suite Therefore it is considered by the Court here that the said Thomas p. 401 recover against the said John and Susanna the Said Summe of five thousand pounds of tobacco damages as also the summe of fourteen hundred eighty three pounds of tobacco for his costs and charges in this behalfe expended and laid Out and the said John and Susanna in mercy

Mathew Paine ag^{t} James Thompson	the def^{t} appeares by George Thompson his Attorny and imparle untill next Court.
W^{m} Melton adm^{r} John ffoster ag^{t} John Troster	the def^{t} by Robert Carvile his Attorny appeares & imparles untill next Court.
Thomas Mountfort ag^{t} Thomas Bowdle	the def^{t} appeares and imparles by George Oldfeild his Attorny untill next Court.
Thomas Price ag^{t} Thomas Stanbridge	the Sheriff of Somersett County haveing returned a Cepi & the def^{t} not appeareing this Court Ordered the Sheriff be amerced if he appeare not next Court
Thomas Gerard ag^{t} John Gerard & Rose Gerard Execut^{rs} Tho: Gerard	the def^{ts} appeare by George Oldfeild their Attorny & imple untill next Court.

Liber M M

Edward Connery
agt
the Same
the defts appeare by George Oldfeild their Attorny and imparle untill next Court.

Thomas Wynn
agt
John Rawlins
the Sheriff of Dorchester County haveing returned a Cepi & the deft not appeareing this Court ordered the Sheriff be amerced if he appeares not next Court.

Humphry Warren
agt
John Gerard and Rose Gerard Executrs Thomas Gerard
this cause agreed.

Benja Hunton
agt
George Gunnell

Mathew Ward
agt
Thomas Carleton

Anthony Male
agt
Wm Worgan

the Severall defts appeare by Kenelm Cheseldyn their Attorny and imparle untill next Court.

Kenelm Cheseldyn
agt
Thomas Carleton

Thomas Chandler & ux:
agt
Wm Russell

Thomas Chandler
agt
Wm Russell

these three causes agreed.

p. 402

Edward Roe
agt
George Robbins

Edward Roe
agt
Wm Charleton

Richard Tilghman
agt
Thomas Hobson

these three Causes agreed.

John Slater
agt
Thomas Dieas
the Sheriff of Somerset County haveing returned a Cepi Corpus and the deft not appeareing Order the Sheriff be amerced unlesse he appeare next Court.

Liber M M

John Quigley
ag^{t}
John ffoxcroft
the def^{t} appeares by Robert Carvile his Attorny and imparles untill next Court.

Edward Roe
ag^{t}
Jeremiah Eaton
& Jn^{o} Barke
the def^{ts} appeare by Vincent Lowe their Attorny and imparle untill next Court.

Robert Carvile
ag^{t}
John Richardson
John Richardson late of Talbott County otherwise called John Richardson of the County of Talbott in the said Province Inholder was Sumōned to answer unto Robert Carvile One of the Attornyes of this Court according to the libertyes &c of a plea that he render unto him One thousand pounds of tobacco which to him he oweth and unjustly deteineth &c.

And whereupon the Said Robert in his proper person Saith that whereas the Said John upon the Sixtenth day of December in the yeare of Our Lord One thousand Six hundred and Seventy by his certaine bill or writeing Obligatory Sealed with the Seale of him the said John and here in Court produced whose date is the day and yeare abovesaid did confesse himselfe to owe & stand indebted to the said Robert in the full and just quantity of One thousand pounds of tobacco to be paid to the Said Robert upon the tenth day of October next ensueing the date of the said bill Yet notwithstanding the said John the sd Summe of One thousand pounds of tobacco though thereunto requested hath not paid or Satisfied but the same to pay hath hitherto denyed and as yet doth deny to the damage of the said Robert Sixteene hundred pounds of tobacco & thereupon he bringeth his Suite.

And the said John Richardson by George Oldfeild his Attorny cometh & defendeth the force and injury when &c and Saith he is not informed of any answer thereunto to make therefore it is considered by the Court here that the said Robert recover against the said John the said summe of One thousand pounds of tobacco his debt aforesaid as also the summe of two hundred pounds of tobacco costs of Suite but So as execution theirof be Stayed until the tenth day of October next.

M^{r} Oldfeild

I doe hereby appoint you to be attorny for me to appeare for me at the Suite of Robert Carville and to confesse judgment for me for twelve hundred pounds of tobacco and for So doeing this shall be your warrant Given under my hand & seale this 9th day of December 1674 but execution is to Stay untill the sd day of October next.

Testes
George Beckwith
John Allen

the marke of
John IR Richardson (Sealed)

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Christopher Batson ag^{t} John Stephens	the def^{t} appeares by Robert Carvile his Attorny and imparles untill next Provinciall Court.
Timothy Lindall & Comp^{a} ag^{t} Edward Roe	the Sheriff retornes a Cepi Corpus (post diem)
Timothy Lindall ag^{t} Edward Roe	the same returne.
Robert Carvile ag^{t} John Rawlings Robert Carvile ag^{t} Arthur Wright	the Sheriff of Dorchester County haveing returned a Cepi in these two causes and the def^{ts} not appeareing Ordered that unlesse they appeare next Court that the Sheriff be amerced.
Thomas Stanley ag^{t} John Wells	the Sheriff of Kent County maketh returne that the said John Wells is not found in his Bayliwick.

John Hollins being Sumoned this Court as an evidence for Daniel Jenifer Ordered that he be paid by the said Daniel Jenifer for his comeing goeing and attendance One hundred and eighty pounds of tobacco.

John Coade & Susannah his wife. ag^{t} Justinian Gerard	Justinian Gerard late of S^{t} Maries County Gent was attached to answer unto John Coade and Susanna his wife in a plea of trespas upon the case.

And whereupon the said John and Susannah by Kenelm Cheseldyn their Attorny complaine that whereas the said Justinian Gerard the fourth day of June One thousand Six hundred Seventy three Stood indebted to the said Susannah while she was Sole for divers goods and merchandizes bought had and received of the said Susanna as also for Severall Summes of tobacco paid unto Severall persons in this Province upon the accompt of him the said Justinian at divers dayes and times to witt from the said fourth day of june untill the nine and twentith day of January in the same yeare amounting in the whole to the summe of two thousand eight hundred thirty eight pounds of tobacco a particular whereof is here in Court produced in consideration whereof the said Justinian did assume upon himselfe and to the said Susannah did faithfully promise that he the said Justinian when thereunto required the Said summe of two thousand eight hundred thirty eight pounds of tobacco to her the said Susannah would well and truly content and pay Notwithstanding which the said Justinian that said summe of two thousand eight

Liber M M hundred thirty eight pounds of tobacco to her the said Susannah while she was Sole according to his promise hath not paid nor to the said John and Susanna Since espousalls though often thereunto required hath not paid but the same to them to pay hitherto hath and still doth deny to the damage of them the said John and Susanna foure thousand pounds of tobacco and thereupon they bring their Suite.

And the aforesaid Justinian by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and the said Justinian Saith he did not assume and promise in manner and forme as the p. 404 Said John and Susanna above against him have declared and of this he putts himselfe upon the Country and the said John and Susanna also Therefore it is comanded the Sheriff of S^t Maries County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c.

And now here at this day to witt the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c came the said John and Susanna by Kenelm Cheseldyn their Attorny and the said Justinian by Robert Ridgely his Attorny and the jurors of that jurors like wise came to witt Thomas Griffin Daniel Clocker jr Cornelius Corneil George Macall George Dundas Abraham Rhoades Joseph Edloe Richard Rigell Thomas Locquer W^m Harper Peter Watts and Thomas Courtney who being impannelled Summoned and Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiffs the accompt Sworne to and costs of Suite Therefore it is considered by the Court here that the said John Coade and Susanna his wife recover ag^t the said Justinian Gerard the said summe of two thousand eight hundred thirty eight pounds of tobacco for their damages Occasioned by the premisses as also the summe of thirteene hundred Seventy Seven pounds of tobacco for costs of Suite in this behalf Laid Out and expended and the said Justinian Gerard in mercy.

John Coade & ux.
ag^t
Justinian Gerard
this cause continued untill next Court.

Thomas Mountfort
ag^t
Thomas Vaughan
James Elton
ag^t
John Brooke
these two causes agreed.

Michael Miller
ag^t
Christopher Barnes
the Sheriff of Kent County maketh returne that the def^t is not found in his Bayliwick

Liber M M

Samuel Tracy
agt
Thomas Morley
the Sheriff of Caecil County haveing returned a Cepi Corpus and the deft not appeareing Ordered that unlesse the deft appeare next Court he be amerced.

Robert Wells
agt
Hame Hanson
the deft by Mathew Warde his Attorny appeares and imple untill next Court.

Thomas Mountfort
agt
John Walker
Daniel Jenifer
agt
John Watkins
the Sheriff of Talbott County maketh returne that the defts are not found in his Bailiwick.

John Quigley
agt
John Dobbs
the deft by Robert Carvile his Attorny appeares and imple untill next Court.

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Charles Calvert Esqꝫ
agt
Stephen Tully
the Sheriff of Talbott County maketh returne that he hath taken the deft whose body he hath &c

Charles Calvert Esqꝫ
agt
Stephen Tully and Seth ffoster.
The Sheriff of Talbott County returnes Cepi Tully ffoster non est inventus.

John Quigley
agt
Mathew Stone
the deft by Kenelm Cheseldyn his Attorny appeares and imparles untill next Court.

Wm Russell
agt
Thomas Chandler
the same
agt
the Same
the same
agt
the same
these three causes agreed.

Wm Hampstead
agt
Jonas Jorden
the Sheriff of Ann Arrundell County maketh returne that the defendant is not found in his Bailiwick

Henry Bradley
agt
Henry Parker
the Sheriff of Talbott County returneth the deft is not found in his Bailiwick

Liber M M	Stephen Murty agt Michael Williams	the Sheriff of Caecil County returneth the deft is not found in his Bailiwick
	Nicholas Bayard & Peter Bayard agt Wm Worgan	the Sheriff of Dorchester County maketh returne that the deft is not found in his Bailiwick whereupon an attachment is granted the plaintiffs
	Isaac ffoxcroft agt John Richardson	this cause agreed.
	Tobias Wells agt Jno Wright & ux:	upon a Sci: fa: the defts by Kenelm Cheseldyn their Attorny appeare and imparle untill next Court
	Marmaduke Semme agt Samuel Barnes	the Sheriff of St Maries County returneth a non est inventus whereupon an attachmt is granted the plaintiff.
	Thomas Warner agt Cornelius Council	the deft by Robert Carvile his Attorny appeare & imparle untill next Court.
	George Johnson at suite John Hilliard	Costs allowed the deft upon an appeale eight hundred twenty two pounds of tobacco.
p. 406	Daniel Goldstone agt John Pott John Quigley agt Ralph Robson & John Johnson	these two causes agreed.
	Richard Smith agt Henry Mitchell	the Sheriff of Calvert County maketh returne that the deft is not found in his Bailiwick and the deft being bound by recognizance durante vita & not appeareing Ordered an attachment be awarded the plaintiff.
	Benjamin Bennitt agt Richard Ball	the deft appeareth by Robert Carvile his Attorny and imparle untill next Court.
	Garrett Vansweringen agt William Baker	the deft by Robert Ridgely his Attorny appeareth and imparles untill next Court

Liber M M

Benjamin Rozer agt ffrancis Kilborne	agreed.
John Beale & ux agt John Allen	the deft appeareth by Robert Carvile his Attorny and imparles untill next Court.
John England agt Edward Maddock	the deft by Samuel Cressey his Attorny appeareth and imparles untill next Court.
Samuel Clarke and Jno England agt Thomas Galley & ux	the defts by Robert Ridgley their Attorny appeare and imparle untill next Court.
James Nutthall agt Richard Bayly	the deft by Robert Ridgely his Attorny appeares and imparles untill next Court.
Wm Worgan agt David Williamson	the Sheriff of Dorchester County being comānded to attach any the goods chattells or creditts of the deft make the returne that the party is not to be found in his Bailiwick. Ordered that the Sheriff make a better returne.
Marmaduke Semme agt John Shapley	the deft by Robert Carvile his Attorny appeare and imparle untill next Court.
Henry Tripp agt Wm Worgan	the Sheriff of Dorchester County returneth that the deft is not found in his Bayliwick
Samuel Cooke agt John Allen	the deft appeares by Robert Carvile his Attorny and imparle untill next Court.
Miles Cooke agt John Allen	
Kenelm Cheseldyn agt John Balley	the deft appeareth in his proper person in the Custody of the Sheriff of St Maries County and imparles untill next Court
Garrett Vansweringen agt Henry Smith	the deft by Robert Carvile his Attorny appeareth and imparle untill next Court.
Marke Cordea agt Peter Underwood	the Sheriff of Dorchester County maketh returne that the deft is not found in his Bailiwick.

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Liber M M	ffrancis Swanstone ag^{t} Henry Cox Thomas Price ag^{t} Richard Bayly John Jones ag^{t} Edward Price Garrett Vansweringen ag^{t} James Lewis the Same ag^{t} the Same	these causes agreed
	Morgan Jones ag^{t} John Rawlings	the Sheriff of Dorchester County haveing returned a Cepi Corpus and the def^{t} not appeareing Ordered that the Sheriff be amerced unlesse he appeare next Court.
	George Charlsworth ag^{t} Charles Delaroch	the def^{t} appeares by Robert Ridgely his Attorny and imparle untill next Court.
	James Peon ag^{t} George Coe	the Sheriff of S^{t} Maries County returneth the def^{t} is not found in his Bailiwick.
	Henry Phippes ag^{t} Edward Russell	the Sheriff of S^{t} Maries County returneth the def^{t} is not found in his Bailiwick
	John Teate and Comp^{a} ag^{t} Peter Underwood John Moll ag^{t} Raymond Stapelfort	the Sheriff of Dorchester County maketh returne that the def^{ts} are not found in his Bailiwick.
	William West ag^{t} Nehemiah Blackistone	the def^{t} appeares by Kenelm Cheseldyn his Attorney and imparle untill next Court.
p. 408	John Blackistone ag^{t} George ffinion	the def^{t} by Robert Ridgely his Attorny appeares and imparle untill next Court.

Liber M M

Thomas Chapman agt Robert Downes	the deft by Samuel Cressey his Attorny appeares & imparle untill next Court.
Garrett Vansweringen agt Bryan Daley and Constant Keife executr Roger Shehee	the defts by John Quigley their Attorny appeare and imparle untill next Court.
Raymond Stapelfort agt Thomas Taylor	the deft appeares by John Quigley his Attorny and imparle untill next Court.
Roger Baker agt Andrew Higgs	the Sheriff of Calvert County maketh returne that the deft is not found in his Bailiwick.
Roger Baker agt John Alkey	the Sheriff of Calvert County maketh returne that the deft is not found in his Bailiwick
John Quigley agt John Baker Marmaduke Semme agt Wm King	the defts appeare by Robert Ridgely their Attorny and imparle untill next Court.
Richard Moy agt George Powell	the deft appeares by John Quigley his Attorny & imparles untill next Court.
Richard Moy agt Thomas Baile	the Sheriff of St Maries County returneth that the deft is not found in his Bayliwick.
Moy agt Joseph Edloe	the Sheriff of St Maries County maketh returne that the deft is not found in his Bailiwick
John Baker agt John Quigley Richard Royston agt Richard Bayly	the defts appeare by Kenelm Cheseldyn their Attorny and imparle untill next Court.
John Quigley agt Garrett Vansweringen Bryan Daley agt George Charlsworth the Same agt the Same	the Sheriff of St Maries County maketh returne that the defts are not found in his Bayliwick.

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Philip Calvert Esq
agt
Peter Eure & Tho: Courtney.
Samuel Hatton
agt
ffrancis Holland
John Hudson
agt
Thomas Taylor

the defts by Robert Ridgely their Attorny appeare and imparle untill next Court.

George Marshall admr
Joseph Brough
agt
Garrett Vansweringen

the Sheriff of St Maries County maketh returne that the deft is not found in his Bayliwick

Richard Moy
agt
Mathias Decosta
John Baker
agt
the same
Thomas Wynn
agt
The Same

the Sheriff of St Maries County haveing returned a non est inventus Attachmts agt the goods Chattells or Creditts of the deft to the plaintiffs are Granted.

Thomas Chapman
agt
John Baker

the deft appeares by Robert Carvile his Attorny and imparle untill next Court

Lydia Solly admrx
Benja Solly
agt
Richard Speed

agreed

Benja Rozer
agt
George Thompson

agreed

John Troster
agt
Wm Melton

the deft appeares by Robert Ridgely his Attorny and this cause continued untill next Court.

Benjamin Cowell
agt
Richard Tilghman

the Sheriff of Talbott County maketh returne that he hath made knowne to the deft that he be at the day and place as he is required

Liber M M

Bryan Daley
ag^{t} } agreed.
Thomas Tunis

John Balley
at suite } Costs allowed upon the nonsuite upon Scire facias Six hundred and foureteen pounds of tobacco.
Garret Vansweringen

Know all men by these p^{r}sents that I William Barret of London Merchant have made Ordeined and Authorized and doe make ordeine Authorize and in my place and Steed by these p^{r}sents put and Constitute my Sonn William Barret my True and Lawfull Attorney Deputy and assignee for mee in my Name and to mye vse to Call to accompt all every and any person and persons whome it doth or shall concerne and to make vpp adiust and perfect all every or any accompts or Reckoning for and Touching all or any Tobaccoes debts due and Demands to me Due payable or belonging by and from any Person and Persons and to Confirme Countermande or Revoake any Letters of Attorney and Power by me heretofore given to any pson and psons as my Said Sonn shall thinke meete and Requisite And to Barter Sell and Dispose all every and any goods and Marchandizes to be belonging and Comitted to the Charge and Managem^{t} of my Said Sonn or of any Person or Persons whatsoever and to shipp and Consigne the proceed thereof to me to and at the Port of London and if need be for this p^{r}misses or any part thereof to appeare and my Person to Represent in all Courts and before all Judges Magistrates and Ministers of the Law and to Sue arrest attach Seize Sequester Implead Imprison Condemn and Discharge and to Compound compromit conclude and agree and Vpon Receipt of the premisses or any part thereof or Vpon any Such Composicōn or agreement to be made to make and give Such acquittances and Discharges as shalbe Requisite And one Attorney or more to make Substitute and at pleasure to Revoake and moreover to Doe psente performe and Determine all and every Lawfull Act and Acts thing and things within or about the premisses shalbe Requisite to be done as ffully as I Could doe personally Ratifying and allowing for good and Effectuall all and w^{t}soever my Said Sonn or his Assignes shall Lawfully Doe or Cause to be Done in or about the p^{r}misses by virtue hereof In Witnes whereof I have hereto put my hand and Seale the three and twentyth Day of July Anno Dñi 1674 Annoqȝ 26th Caroł 2^{d}. p. 410

Sealed & Deliu^{r}ed in y^{e} p^{r}sence
of Walter Dunch
Thomas Elves.
W^{m} Bower Sir

William Barret /Sealed

On the backside of the aforegoing Letter of Attorney was thus written.

Liber M M December 20th 1674

p. 411 This Day this Letter of Attorney was proved before me by the Oath of Thomas Elves one of the Witnesses to it to be the Act and Deed of William Barret of London Marchant. Sam Chew

Knew all men by these p^{r}sents that I Richard Booth of London Esqꝫ have Assigned made ordeined Constituted Deputed and Appointed as by these p^{r}sents in my Stead and place I doe Assigne make ordeine Constitute Depute and appoint my Loving ffreind Beniamin Cooper Comander of the Shippe Anna of London now bound for Maryland my True and Lawfull Attorney for me and in my name and to my vse to aske demand Sue for Leavy recover and Receive of all and every Person or Persons w^{t}soever, Whom of Right it Doth or may concerne all Such moneys Tobaccoes and other things as are any wise Due Oweing belonging or apperteining unto me the Said Richard Booth for certaine Debts contracted by Cap^{t} John Tully according to an accompt by him given or otherwise for what Cause or Reason soever Also with any of my Debtors or other Persons to Reckon and admitt accompts Compound and agree Vppon Recoveries and Receipts for me and in my name to Seale and Deliuer Sufficient Discharges and acquittances And if need be to appeare Before all Lords Judges & Justices in any Court or Courts there to answer Defend and reply in all matters and Causes Touching or concerning the premisses to Doe Say pursue, implead, arrest, Seize, Sequester Attach, Imprison, and to condemne And out of prison againe to Deliuer And Generally in order to the Recoveries of what is due and oweing unto me to vse all Lawfull waies & means either by Suite of Law or otherwise as fully and Amply to all intents and purposes as I my Selfe might or could doe if I was then and there parsonally p^{r}sent With power to Substitute One or more Attorneys und^{r} him with like or limited power and the Same againe to Revoake And I Doe hereby Ratifie Confirme and approve of all and whatsoever my Said Attorney or his Substitutes shall Lawfully Doe or Cause to be Done in and about the p^{r}misses by Virtue of these p^{r}sents In witnes whereof I the Said Richard Booth have hereunto p. 412 put my hand and Seale the five and twentyth Day of August Anno 1674 And in the Six and twentyth Yeare of the Reigne of our Sovereigne Lord Charles the Second by the Grace of God King of England Scotland ffrance and Ireland Defendor of the ffaith &c.

Signed Sealed and Dd Rich^{d} Booth /Sealed
in p^{r}sence of vs
Nicho: Spencer
Tho: Walker
Nic^{o}: Hayward No^{ry} Pub^{cus}
1674

John Coode and ux
ag^{t}
Gerard Slye

Gerard Slye late of S^{t} Maries County Gent was Sumōned to answer unto John Coode and Susanna his wife in a plea that whereas they the said John and Susanna in right of her the said Susanna and for terme of her natural life and the aforesaid Gerard doe hold together and undevided One tract of Land or Plantation in S^{t} Maries County called Bushwood with the appurtenñces he the Said Gerard that Partition may be made thereof betweene them according to the forme of the Statute in that case published and Provided doth deny and the same most unjustly permitt not to be done against the forme of the Statute &c.

And whereupon the Said John and Susanna by Kenelm Cheseldyn their Attorny Saith that whereas they the said John and Susanna in right of her the Said Susanna and the aforesaid Gerard together and individually doe hold the Said Tract of land or Plantation called Bushwood in S^{t} Maries County aforesaid whereof unto them the Said John and Susanna in right of her the said Susanna it belongeth to have by devise of the last will and Testament of Robert Sly late of S^{t} Maries County Gent deceased late husband of the said Susanna for terme of her naturall life One part of the said Plantation called Bushwood with the appurtenñcs in two parts equally to be divided the dwelling house of the Said Plantation excepted devised to her the Said Susanna in Severalty for the same terme and unto the aforesaid Gerard and his heirs by the same devise it appurteines to have the other part residue of the Said Plantation in two parts as aforesaid to be devised and after the decease of the Said Susanna the whole tract of Land or plantation aforesaid with the appurtenñcs to descend to him the Said Gerard and his heirs So that the Said John and Susanna of their part of the said tract of land with the appurtenñcs to them thereof belonging and the aforesaid Gerard of his part of the Said tract of land with the appurtenñcs to him thereof belonging may be able Severally to apart themselves he the said Gerard Partition thereof to be made and provided doth deny and the same most unjustly permitt not to be done against the forme of the Statute aforesaid whereupon the Said John and Susanna Say they and dampnified and have losse to the Value of thirty thousand pounds of tobacco and thereupon they bring their Suite

And the Said Gerard by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith That partition betweene him and the said John and Susanna his wife of the Plantation called Bushwood ought not to be made according to the forme of the Statute in the declaration mentioned for that he Saith that the Said Robert Sly by his Said last will and Testament did will that when there should happen any division to be made of his estate ac-

Liber M M cording to his said last Will that the same should be done by the discretion of any two or more of his Overseers in the Said Will p. 413 named without Partiality from time to time as there should be Occasion and by none others if they or any two of them were then living and accordingly the said Gerard alwayes was and Still is ready to have partition made of the said Plantation according to the intent of the said Will and this he is ready to averre and thereupon he demands judgment whether partition Ought to be made betweene him and the Said John and Susanna his wife of the Plantation aforesaid according to the Said Statute.

And the aforesaid John and Susanna as to the aforesaid plea of the aforesaid Gerard above in barr pleaded Say that they by anything in the same plea before alleadged Ought not to be debarred from haveing Partition made between them the said John Coade and Susanna his wife and the said Gerard Sly of the Said Plantation called Bushwood because they Say they did severall times request the said Gerard that the said Plantation called Bushwood might be divided according to the appointment of the said Will in the said plea alleadged and the said Gerard altogether refused the same whereupon the said John and Susanna Say that the said Plantation called Bushwood ought to be divided according to the forme of the Statute abovementioned and of this they pray the judgment of the Court.

Afterwards to witt the eleventh day of December in the 43th yeare of the Dominion of Caecilius &c came the said John and Susanna and the Said Gerard by their Attornyes likewise came and it is considered by the Court here that the said John and Susanna have partition of the Said Plantation called Bushwood according to the forme of the Statute in that case made and provided Therefore Com̄and is given to the Sheriff of St Maries County that takeing with him twelve good and lawfull men of his Bailiwick by whom the truth of the matter may the better be Knowne in his proper person he goe unto the land or Plantation aforesaid with the appurtenñcs and there by their Oathes in the presence of the parties aforesaid by him to be warned if they will be present the same land with the appurtenñcs except before excepted haveing due respect to the true value of them in two equall parts he cause to be parted and One part thereof to the aforesaid John Coode and Susanna his wife in right of her the said Susanna and the other part to him the said Gerard Sly to hold to them in Severalty he cause to be assigned and delivered So that the said John and Susanna nor the said Gerard Sly have more of the premisses aforesaid than unto then appertaineth to have and that the said John and Susanna of their halfe part to them of the premisses aforesaid with the appurtenñcs belonging and that the said Gerard Sly of his halfe part of the premisses aforesaid belonging may be able Severally to possesse themselves. and yt Partition by him distinctly and Openly So made he have before his Lop̄ps justices at the next Provinciall Court under his Seale & the Seales of them Liber M M by whose Oathes he make that partition.

John Mayo ag^{t} William Stacey & ux:	William Stacey and Mary his wife executrix of the last will and testament of Richard Stacey deceased was Sumoned to answer unto John Mayo in a plea that he render unto him the summe of eleven hundred eighty and foure pounds of tobacco which from him they unjustly deteine.

And whereupon the said John by Kenelm Cheseldyn his Attorny Saith that whereas the said Richard Stacey in his life time to witt the 15th day of february in the yeare 1672 did by his certaine writeing Obligatory Sealed with the seale of the said Richard here in Court produced whose date is the day and yeare abovewritten bind himselfe his heirs executors adm^{rs} or assignes to pay or cause to be paid unto the said John Mayo his heirs execut^{rs} adm^{rs} or assignes the full and just Summe of eleven hundred eighty foure pounds of good Sound merchantable tobacco in caske according to Act of Assembly due for to be paid at or upon the tenth day of October next p. 414 ensueing the date thereof in Some convenient place in Petuxent River Notwithstanding which the Said Richard Stacey in his life time nor the said William and Mary since his death executrix of the last will and Testament of the said Richard though often thereunto required hath not paid but the same to pay hitherto hath and Still doth deny to the damage of the said John Mayo the Summe of two thousand pounds of tobacco and thereupon he bringeth his suite.

And the aforesaid William and Mary by Robert Ridgely their Attorny come and defend the force and injury when &c and the said William and Mary Say that since administration to the said Mary com̃itted of the goods and Chattells of the said Richard Stace deceased and in performance of the testament of the said Richard the execution whereof being com̃itted to the said Mary to witt the tenth day of March in the yeare 1673 the said William Stacey unto the said John Mayo the said eleaven hundred eighty foure pounds of tobacco by the hands of Thomas Kemp according to the tenor of the said writeing Obligatory hath paid and of this he putts himselfe upon the judgment of the Court and the said John also.

Now here at this day to wit the fourtenth day of December in the 43th yeare of the Dominion of Caecilius &c the Court being fully Satisfied that the debt aforesaid is fully Satisfied and paid doe Order that a nonsuite be awarded against the said John Mayo and that the said John pay unto the said William & Mary the Summe of fourteen hundred forty two pounds of tobacco for their costs and charges in this behalfe laid Out and expended and the said John in Mercy for his false claime.

Liber M M I William Stacey of Calvert County doe appoint Robert Ridgely one of the Attornyes of the Provinciall Court to appeare for me and Mary my wife executrix of Richard Stacey deceased at suite of John Mayo in a plea of debt for eleven hundred eighty foure pounds of tobacco and to plead such plea to the same as he shall thinke fitt and for So doeing this shall be his warrant wittnes my hand and seale the 7th of October 1674. William Stacey (sealed)

Witnes
the marke of
Thomas T White
the marke of
Eliz: Turner.

George Beckwith
agt
John Allen

John Allen late of Charles County otherwise called John Allen of Charles County in the Province of Maryland Merchant was Sumōned to answer unto George Beckwith Gent of a plea that he render unto him the sum̃e of twenty three pounds Sterling which to him he oweth and unjustly deteineth.

And whereupon the said George by Robert Carvile his Attorny Saith that whereas the said John upon the eleventh day of May in the yeare of Our Lord One thousand Six hundred Seventy foure by his certaine bill or writeing Obligatory sealed with the seale of him the said John and here in Court produced whose date is the day and yeare abovesaid did confesse & acknowledge himselfe to owe and Stand indebted to him the said George in the full and just Sum̃e of twenty three pounds Sterling lawfull mony of England to be paid to him the said George at or before the twentith day of August next ensueing the date of the said bill Yet notwithstanding the said John the said sum̃e of twenty three pounds Sterling to him the said George
p. 415 though often thereunto requested according to the tenor of the said bill hath not paid or satisfied but the same to pay and satisfie hath denyed and refused and Still doth deny and refuse to the damage of him the said George thirty pounds Sterling and thereupon he bringeth his Suite.

And the said John by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when &c & prayeth liberty to imparle hereunto untill next Provinciall Court and it is granted him the same day is given to both parties

Now here at this day to wit the 14th day of December in the 43th yeare of the Dominion of Caecilius &c came the said George by Robert Carvile his Attorny and offered himselfe against the said John in the plea aforesaid but the said John came not but made default therefore it is considered by the Court here that the said George recover against the said John Allen the sum̃e of twenty three pounds Sterling the debt aforesaid as also the sum̃e of nine hundred and Seaven pounds of tobacco for his costs and charges in that behalfe laid Out and expended the said John in mercy. Liber M M

Henry Phippes
agt
John Larkin

John Larkine late of Ann Arrundell County otherwise called John Larkin of Ann Arundell County in the Province of Maryland was Sumoned to answer unto Henry Phippes admr of the goods and chattells of Edward Maynard deceased in a plea that he render unto him the summe of five thousand Six hundred & thirteene pounds of tobacco which from him he unjustly deteineth

And whereupon the said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the said John Larkin the eleventh day of May in the yeare One thousand Six hundred Seventy One by his certaine writeing Obligatory Sealed with the sale of the said John here in Court produced whose date is the day and yeare abovewritten acknowledge himselfe to owe and stand indebted unto Edward Maynard merchant Com̃ander of the Shipp called the William of Dover in the full and just Sum̃e of five thousand Six hundred and thirteene pounds of good sound merchantable tobacco in caske to containe the same to be paid to the said Edward Maynard his heirs executors or certaine Attorny in that behalfe at or upon the tenth day of October next ensueing the date thereof in Some convenient place in the County aforesaid to the true performance whereof he did bind himselfe his heirs executors administrators firmly by those presents Notwithstanding which the said John Larkin the said Sum̃e of 5613 ℔ of tobacco according to the tenor of the said writeing Obligatory hath not paid to the said Edward in his life time nor to the said Henry since his death to whom administration of all and Singular the goods and Chattells which were the said Edwards at the time of his death Since his death hath beene committed though often thereunto required but the same to him to pay hitherto hath and Still doth altogether deny to the damage of the said Henry eight thousand pounds of tobacco & thereupon he bringeth his suite. And the said Henry bringeth also here into Court the Letters of Administracõn to him granted of all and singular the goods and Chattells which were the said Edwards at the time of his death to him committed that it may appeare to the Court here that he is administrator of the said Edward and thereupon to have administracõn

And the said John by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto until next Provincial Court and it is granted him the same day is given to both parties.

Now here at this day to witt the thirtenth day of December in the p. 416

Liber M M 43th yeare of the Dominion of Caecilius &c came the said Henry by Kenelm Cheseldyn his Attorny and the said John by Robert Carvile his Attorny likewise came and the said John by his Attorny aforesaid Saith that as to foure thousand foure hundred and three pounds of tobacco part of the said sum̃e of five thousand six hundred and thirteene pounds of tobacco he cannot gainsay but that he oweth the same to the said Henry as administrator aforesaid Therefore it is considered by the Court here that the said Henry recover against the said John Larkin aswell the summe of foure thousand foure hundred and three pounds of tobacco the debt aforesaid as also the summe of five hundred forty foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said John in mercy.

Thomas Mathews and Henry Adams executrs Manwering
agt
Thomas Wynn
The same
agt
the same

Thomas Mathews and Henry Adams of Charles County executors of the last will and Testament of George Manwareing deceased complaine against Thomas Wynn of St Maries County Cryer of this Court according to the libertyes and priviledges &c in a plea that he render unto them the summe of forty thousand pounds of tobacco which from them he unjustly detaineth

And whereupon the said Thomas and Henry by Kenelm Cheseldyn their Attorny Say that whereas the said Thomas Wynne the tenth day of October in the 39th yeare of the Dominion of Caecilius &c Annoqȝ Dom̃ 1670 by his certaine writeing Obligatory Sealed with the seale of the Said Thomas here in Court produced whose date is the day and yeare abovewritten did acknowledge himself to be holden and firmly bounden unto the said George Manwareing of Charles County in the full and just Summe of forty thousand pounds of merchantable tobacco and caske to be paid to the said George Manwareing his heirs executors administrators or assignes to the which payment well and truly to be made to the said George Manwareing his heirs or assignes he did bind himselfe his heirs executors administrators firmly by these prsents Notwithstanding which the said Thomas Wynne the said summe of forty thousand pounds of tobacco to him the said George Manwareing in his life time nor to the said Thomas and Henry since his death executors of the last will & Testament of the said George hath not paid according to the tenor of his said writeing Obligatory though often thereunto required but the same to them to pay hitherto hath and Still doth altogether deny to the damage of the said Thomas and Henry forty five thousand pounds of tobacco And thereupon they bring their Suite.

And the said Thomas Wynne by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also the heareing of the Condition of the said writeing and it is read unto him in these words The Condition of this Obligation is such That if the above bounden Thomas Wynne shall well and truly performe fullfill and Keepe every clause and article contained in certaine Articles of agreement interchangably Sealed betweene the said Thomas Wynne and the abovenamed George Manwareing and beareing date the day of the date of these presents then this Obligation to be void and of none effect otherwise to stand remaine and be in full force and Virtue. which being read and heard the said Thomas Saith that he by virtue of the said writeing Obligatory of the said debt in the said writeing mentioned Ought not to be burthened because he Saith that he the said Thomas hath well and truly performed observed fullfilled & Kept every clause and article contained in the said Articles of Agreement in the said Condition of the said writeing Obligatory mentioned which on the part of the said Thomas was to be performed observed fulfilled and Kept and the said Thomas prayeth the heareing of the said Articles of Agreement and that the said Thomas and Henry may His breach therein assigne. Liber M M p. 417

And the Said Thomas and Henry Say that they the said Thomas and Henry from haveing their action aforesaid against the said against the said Thomas ought not to be barred for that they say that the said Thomas Wynne hath not performed fullfilled and Kept the clauses and articles in the Said Articles of agreement in the condition of the said writeing Obligatory mentioned which on the part of the said Thomas was to be observed fullfilled and Kept for that the said Thomas hath not returned the bills and accompts received of the said George amounting to the summe of twenty thousand eighty foure pounds of tobacco in his life time nor to the said Thomas and Henry since his death nor rendred his accompt of the tobaccoes received by him for the use of the said George as by the said writeing of Articles it more fully appeares he ought and this they pray may be inquired off by the Country. and the said Thomas Wynne likewise. Therefore it is this day to witt the 13th day of December in the 43th yeare of the Dominion of Caecilius &c comānded the Sheriff of S^t^ Maries County that he cause to come here twelve &c by whom &c to recognize &c who neither &c because aswell &c.

Att which day came aswell the said Thomas and Henry by their Attorny and the said Thomas Wynne by his Attorny and the jurors of that jury likewise came to witt Thomas Hussy James Thompson Philip Lines John Rice Thomas Knighton John Bigger Thomas Chandler John Balley Thomas Kemp Richard Chilman W^m^ Stacey and Thomas Doxey who being impannelled sumōned and swore to

Liber M M Say the truth in the premisses upon their Oathes doe say they find for the defendants two thousand three hundred seventy two pounds of tobacco.

And whereas also the said Thomas and Henry by their Attorny Say that the said Thomas Wynne the 14th day of March 1669 did bind himselfe his heirs executors admrs to pay or cause to be paid unto the said George his certaine Attorny his executors admrs or assignes the sum̄e of eighteen hundred pounds of tobacco upon demand after the tenth of October then next following. And the said Thomas Wynne by his Attorny Saith that he the said eighteene hundred pounds of tobacco to the said George in his life time hath paid according to the tenor of the said writeing Obligatory. and it sufficiently appeareing to the Court here that the said writeing Obligatory of the said Thomas is fully Satisfied it is the judgment of the Court that the same be delivered up to the said Thomas Wynn, and that the said Thomas Wynn recover of the estate of the said George Manwareing the summe of five hundred seventy two pounds of tobacco the remainder of the abovesaid Summe of two thousand three hundred seventy two pounds of tobacco.

William Baker agt Richard Moy } Richard Moy late of St Maries County Gent was attached to answer unto William Baker in a plea of trespas upon the case.

And whereupon the said Wm Baker by Robert Ridgely his Attorny complaineth that whereas the said William Baker upon the Sixtenth day of March in the 39th yeare of the Dominion of Caecilius &c p. 418 Annoꝗ Dom̄ One thousand Six hundred and Seventy bought had and received from the said Richard One man Servant named Nicholas Bradley to Serve the said William two yeares and nine months with Sufficient warranty from the said Richd for the said Servant aswell against the said Severall claimes of ffreedome Sooner as against all persons that might claime any right or title to the Said Servant and afterwards to wit the tenth day of May in the two and fortith yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1673 the said Nicholas claimeing his freedome there being then Seven months & Six dayes of the said two yeares and nine months unexpired and yet to serve the said Richard Moy did then and there assume upon himselfe and to the said William did faithfully promise that in case the said Nicholas should be freed from the Service of the said William by any lawfull Magistrate of this Province according to Law that then the said Richard would well and truly Satisfie content and pay the said William for the damage and losse the said William should Susteine for want of the Service of the said Nicholas for the time that the said Nicholas should have to serve of the said two yeares & nine months whereupon the same day the said Servant was by the Honble Philip Calvert Esꝗ Chancellour of this Province discharged from further Service to the said William and Set free And the Said Nicholas haveing then to serve him the said William seaven months and Six dayes residue of the said two yeares and nine months, the said William in fact saith that the said Seven months & Six dayes service of the said Nicholas to the said W^m^ would have beene well worth three thousand pounds of tobacco Notwithstanding which the said Richard Moy his promise and assumption so as aforesaid made not regarding but deviseing and fraudulently intending him the said William in this behalfe craftily & Subtilly to defraud and deceive the same three thousand pounds of tobacco to him the said William though often demanded hath not paid or given any satisfaction for the same but the same to pay hath denyed and yet doth deny & refuse whereupon the said William Saith he is dampnified and hath losse to the Value of five thousand pounds of tobacco and thereupon he bringeth his suite. Liber M M

And the said Richard by Robert Carvile his Attorny cometh & defendeth the force and injury when &c and saith he did not assume upon himselfe and to the said William make Such promise in manner and forme as the said W^m^ hath above against him declared and of this he putts himselfe upon the Country and the said William likewise. Therefore it is comānded the Sheriff of S^t^ Maries County that he cause to come here twelve &c

Now here at this day to witt the 12^th^ day of December in the 43^th^ yeare of the Dominion of Caecilius &c came the said William Baker by his Attorny and the said Richard Moy by his Attorny and the jurors of that jury came likewise to wit Gerard Sly George Dundas Joseph Edloe William Harper Peter Watts George Gunnell Cornelius Corneil John Balley Thomas Gant John Hollius Thomas Doxey and Mathew Stone who being impannelled Sumōned and Sworne to Say the truth in the p^r^misses upon their Oathes doe Say they find for the plaintiff two thousand pounds of tobacco with costs of Suite therefore it is considered by the Court here that the said William recover against the said Richard aswell the said sum̄e of two thousand pounds of tobacco damages occasioned by the trespas aforesaid as also the summe of   pounds of tobacco costs of Suite. and the said Richard in mercy.

I doe hereby appoint Robert Carvile One of the Attornyes of the Provinciall Court to appeare for me at the suite of W^m^ Baker in an action of trespas upon the case and to take Coppy of the declaration & putt in such plea as he shall thinke fitt & for So doeing this shall be his Sufficient warrant as wittnes my hand this 21^th^ of September 1674

Testes   Rich: Moy
Robert Ridgely
Peter Eure.

I doe appeare by Virtue of this warrant of Attorny for Richard Moy def^t^ at the suite of William Baker plaintiff in an action of tres- p. 419

Liber M M pas upon the case this day exhibited against the said Richard as wittnes my hand this 21th day of September 1674.

Peter Eure Ro: Carvile
Robert Ridgely

Isaac ffoxcroft agt John Richardson } John Richardson late of Talbott County Inholder was attached to answer unto Isaac ffoxcroft of Accamack Gent of a plea of trespas upon the case.

And whereupon the Said Isaac by Robert Ridgely his Attorny complaineth that whereas the said John the tenth day of December in the 43th yeare of the Dominion of Caecilius &c Annoq Dom̃ 1674 accounted together with the said Isaac for divers Summes of tobacco before that time due and oweing for goods and merchandizes and other things to the said Isaac by the Said John Due & oweing & to the said Isaac to be paid and upon that accompt the said John was found in arrears and indebted to the said Isaac the summe of two thousand seaven hundred twenty Six pounds of tobacco in consideration whereof the said John did assume upon himselfe and to the said Isaac did then and there faithfully promise that he the said John the said Summe of two thousand Seven hundred twenty Six pounds of tobacco to him the said Isaac when thereunto required would well & truly content and pay Notwithstanding which the said John the said Sum̃e of two thousand Seven hundred twenty Six pounds of tobacco to him the said Isaac according to his Promise hath not paid to the Said Isaac though often thereunto required but the same to pay hath denyed and yet doth deny to the damage of the said Isaac three thousand pounds of tobacco and thereupon he produceth his Suite.

And the aforesaid John in his Proper person cometh & defendeth the force and injury when &c and the said John nothing in barr of the aforesaid Isaac Saith for the debt aforesaid, wherefore it is considered by the Court here that the said Isaac against the Said John for the said Sum̃e of two thousand seven hundred twenty Six pounds of tobacco remaineth wholy undefended and that the said Isaac recover against the said John the said sum̃e of two thousand seven hundred twenty Six pounds of tobacco & the said John in mercy.

Justinian Gerard agt John Coode & ux } John Coode late of St Maries County Gent and Susanna his wife late called Susanna Sly widdow were attached to answere unto Justinian Gerard Gent in a plea of trespas upon the case

And whereupon the said Justinian by Robert Ridgely his Attorny complaineth that whereas the aforesaid Susanna the tenth day of february in the 42th yeare of the Dominion of Caecilius &c Annoq Dom̃ 1673 the said Susanna being then sole in consideration that the said Justinian at the Special instance and request of her the Said

Susanna had bargained Sold and delivered unto her the said Susanna Liber M M Six breeding Sowes and One grin̄stone the Said Susanna did assume upon her selfe & to the said Justinian did then and there faithfully promise that she the said Susanna would upon demand Satisfie & pay unto him the said Justinian asmuch as the said Six Sowes & One grindstone were worth And the said Justinian in fact Saith p. 420 that the said Six Sowes were well worth eighteene hundred pounds of tobacco and the said Grindstone was well worth fifty pounds of tobacco Yet the aforesaid Susanna while she was Sole nor the aforesaid John and Susanna since the nuptialls betweene them celebrated the promise and assumption aforesaid of her the said Susanna to him the said Justinian in forme as aforesaid made little regarding but deviseing & fraudulently intending him the said Justinian in this behalfe craftily and Subtilly to defraud & deceive the said eighteene hundred and Sixty pounds of tobacco to him the said Justinian according to the promise and assumption aforesaid of her the said Susanna to the said Justinian made as aforesaid hath not paid nor him for the same in any manner contented or satisfied though often demanded by him the said Justinian of the said Susanna while she was Sole and of the said John and Susanna since the espousalls betweene them Solemnized but the same to pay have refused & denyed and yet doe refuse and deny to the damage of the said Justinian three thousand pounds of tobacco And thereupon he bringeth his suite

And the said John and Susanna by Kenelm Cheseldyn their Attorny doth come and defend the force and injury when &c and Say they did not promise and assume upon themselves in manner and forme as the said Justinian in his declaration above hath declared against them and of this they putt themselves upon the Country and the said Justinian likewise therefore it is com̄anded the Sheriff of St Maries County that he cause to come here twelve &c

Now here at this day to wit the 12th day of December in the 43th yeare of the Dominion of Caecilius &c Annoq̃ Dom̄ One thousand Six hundred Seventy foure came the said Justinian Gerard by his Attorny and the said John Coode and Susanna his wife by their Attorny and the jurors of that jury likewise came to wit Philip Lynes Abraham Rhoades Richard Ridgall James William Tobias Wells Michael Miller John Rice George Charlsworth John Bigger Edward Skidmore Lodowick Williams and Stephen Murty who being impannelled Sumōned and Sworne to Say the truth in the premisses upon their Oathes doe say Wee find for the plaintiff that the defendant pay unto him twelve hundred and Sixty pounds of tobacco with costs. Therefore it is considered by the Court here that the said Justinian recover against the said John Coode aswell the summe of twelve hundred & Sixty pounds of tobacco occasioned by the trespas aforesaid as also the summe of fifteen hundred & nine

Liber M M pounds of tobacco for his costs & charges in that behalfe laid Out & expended & the said John and Susanna in mercy.

Whereas I Justinian Gerard of St Maries County Gent am impleaded in the Provinciall Court by John Coode & Susanna his wife in two severall actions of trespas upon the case I doe therefore hereby impower & authorize my welbeloved freind Robert Ridgely One of the Attorneyes of the said Court to appeare for me in both the said actions and as my Attorny to plead for me non assumpsitt or Otherwise as he shall thinke fitt & the same to defend to the utmost of his skill & power and for so doeing this shall be his warrt In witnesse whereof I have hereunto sett my hand & seale the 18th of September 1674.

Wittnes
Jno Blomfeild
Robert Cole.

Jus Gerard (Seale.)

p. 421 December the 9th 1674

Upon the Petition of Richard Speed That in May Court last past upon a writt issued against the Petitioner at the suite of Benjamin Solly deceased in an action of debt for two hundred pounds Sterling the Sheriff returned a non est inventus and thereupon the Court according to Act of Assembly awarded an attachment against the goods of the petitioner directed to the Sheriff of Charles County and Mr John Allen being then Sheriff attached Severall debts and tobaccoes of your Petitioners amounting to a very great Summe and never made any returne of the said writt according as by the same writt he was com̄anded to the justices of this Court in October last to the great damage of the Petitioner

Whereupon it was this day Ordered that the said John Allen make returne of the said attachment at the next Provinciall Court. But the Said John Allen being present in Court this day and the Court requireing him to make returne of the writt aforesaid under his hand Saith By Virtue of a writt to me directed to attach any the goods and Chattells of Richard Speed to the value of two hundred pounds of Sterling I doe hereby acknowledge that I have received and attached in the hands of Giles Tomkins to the Value of Six thousand foure hundred & ninteene pounds of tobacco.

Ꝑ John Allen. Sheriff.

Costs allowed Lydia Solly admrx of Benjamin Solly plaintiff agt Richard Speed defendant the sum̄e of five thousand two hundred ninty five pounds of tobacco.

Henry Phippes
agt
Thomas Turner

Thomas Turner late of Ann Arundell County otherwise called Thomas Turner of Ann Arundell County in the Province of Maryland was Sumōned to answer unto Henry Phippes administrator of the goods & chattells of Edward Maynard deceased in a plea that he render unto him the sum̄e of two thousand Seven hundred forty One pounds of tobacco which from him he unjustly deteineth. Liber M M

And whereupon the said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the said Thomas the 30th day of August in the yeare 1670 did by his certaine writeing Obligatory Sealed with the seale of the said Thomas here in Court produced whom date is the same day & yeare above written acknowledge himselfe to Owe and Stand indebted to M^r Edward Maynard Merchant and Comander of the William of Dover now rideing at Anchor in the Province aforesaid the full & just Sum̄e of 2741 ƚ of tobacco good Sound and merchantable in caske to be paid the said Edward Maynard his heirs executors administrators at or upon the tenth day of October next ensueing the date thereof and for the true performance thereof did bind himselfe his heirs executors adm^{rs} firmly by those presents Notwithstanding which the said Thomas the Said summe of 2741 ƚ of tobacco according to the tenor of his said writeing Obligatory hath not paid to the said Edward in his life time nor to the said Henry since his death to whom administration of all and singular the goods and Chattells which were the said Edward at the time of his death Since his death hath beene committed hath not paid though often required but the same to pay hitherto hath and still doth altogether deny to the damage of the said Henry three thousand five hundred pounds of tobacco & thereupon he bringeth his Suite

And the Said Henry bringeth also here into Court the Letter of administration to him granted of all and Singular the goods and Chattells which were the said Edwards at the time of his death that it may appeare to the Court here that he is administrator of the Said Edward and thereupon to have administration p. 422

Now here at this day to witt the 13th day of December in the 43th yeare of the Dominion of Caecilius &c Came the said Henry Philipps by his Attorny but the said Thomas came not but made default therefore it is considered by the Court here that the said Henry recover against the said Thomas aswell the summe of One thousand Seven hundred forty One pounds of tobacco the debt aforesaid as also the summe of five hundred forty foure pounds of tobacco for his costs and Charges in that behalfe expended and laid Out and the Said Thomas Turner in mercy.

John Quigley
ag^t
George Brewer

George Brewer late of S^t Maries County otherwise called George Brewer of S^t Maries County in the Province of Maryland planter was Sumōned to answer unto John Quigley in a plea that he render unto him the sum̄e of foure thousand foure hundred pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorny Saith that whereas the said George Brewer the 29th day of June in the yeare 1671 by his certaine writeing Obligatory Sealed with the seale of the Said George here in Court produced whose date is the day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto John Quigley of Virginia merchant the full quantity of foure thousand foure hundred pounds of good Sound merchantable tobacco in caske to be paid unto the said John or to his certaine Attorny his executors administrators or assignes To the which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those presents Notwithstanding which the said George Brewer the Said sum̃e of foure thousand foure hundred pounds of tobacco according to the tenor of his aforesaid writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and still doth deny to the damage of the said John Quigley Six thousand pounds of tobacco And thereupon he brings his Suite.

And the said George Brewer in his proper person in the Custody of the said Sheriff cometh and defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also heareing of the condition of the said writeing and it is read unto him in these words Vizt The Condition of this Obligation is Such that if the abovebound George Brewer Or Richard Broome their or either of their heirs executors or assignes or either of them doe pay or cause to be paid to the said John Quigley his heirs executors administrators or assignes the full quantity of two thousand two hundred pounds of good sound merchantable tobacco in caske in manner & forme following that is to say twelve hundred pounds part of the said two & twenty hundred pounds of tobacco on or upon the tenth day of October next ensueing the date thereof at or upon the plantation now in the Occupation of them the said George and Richard called Newtowne Mill scituate in the County aforesd and One thousand pounds of tobacco more the remainder of the said two and twenty hundred pounds of tobacco On or upon the tenth day of October which will be in the yeare One thousand Six hundred Seventy two at New-Towne Mill aforesaid That then this Obligation to be void or else to stand in force, which being read and heard the said George Saith nothing in barre of the action aforesaid of him the said John Quigley but that he oweth unto the said John the said sum̃e of two thousand two hundred pounds of tobacco Therefore it is considered off by the Court here that the said John Quigley recover against the said George Brewer the said summe of two thousand two hundred pounds of tobacco the debt aforesaid as also the summe of pounds of

p. 423

tobacco for his costs and charges in this behalfe expended and laid Out. and the said George in mercy. Liber M M

Marmaduke Semme agt Samuel Barnes } Samuel Barnes late of St Maries County was attached to answer unto Marmaduke Semme of a plea of trespas upon the case.

And whereupon the said Marmaduke by Robert Ridgely his Attorny complaineth that whereas the said Samuel the eightenth day of January One thousand six hundred Seventy three bought had and received of the said Marmaduke divers liquors and provisions (he the said Marmaduke being a licensed Ordinary Keeper) at divers dayes and times from the said eightenth day of January in the yeare aforesaid untill the two & twentith day of October then next following a particular whereof is here in Court produced amounting in the whole to the summe of two thousand five hundred twenty Seaven pounds of tobacco In consideration whereof the said Samuel did assume upon himselfe and to the said Marmaduke did faithfully promise that he the said Samuel when thereunto required the said summe of two thousand five hundred twenty Seven pounds of tobacco to him the said Marmaduke would well and truly pay Notwithstanding which the said Samuel the said sume of two thousand five hundred twenty Seven pounds of tobacco according to his promise hath not paid though often thereunto required by the same to pay hitherto hath denyed and still doth deny to the damage of the said Marmaduke of three thousand pounds of tobacco And thereupon he bringeth his suite.

Now here at this day to witt the ninth day of December in the three & fortith yeare of the Dominion of Caecilius &c the Sheriff of St Maries County maketh returne as formerly that the said Samuel Barnes is not found in his Bailiwick whereupon the said Marmaduke prayed an attachment against the goods and Chattells of the said Samuel according to Act of Assembly in that case made and provided and it is by the Court here granted unto him.

Nicholas Bayard and Peter Bayard agt William Worgan } William Worgan late of Dorchester County in the Province of Maryland Inholder otherwise called William Worgan of Dorchester County in the Province of Maryland was Summoned to answer unto Nicholas Bayard and Peter Bayard of New-Yorke Merchants of a plea that he render unto them the summe of five thousand three hundred Seventy nine pounds of good Sound merchantable leafe tobacco and caske which to them he oweth and unjustly detaines

Liber M M And whereupon the said Nicholas and Peter by Robert Ridgely their Attorny Say that whereas the said William upon the five and twentith day of April in the One and fortith yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ One thousand six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said William and by the said Nicholas and Peter here in Court produced whose date is the day and yeare abovesaid did bind himselfe his heirs executors administrators or assignes to pay or cause to be paid unto the said Nicholas and Peter or unto their heirs executors or lawfull Attorny the full summe of five thousand three hundred Seventy nine pounds of good Sound merchantable leafe tobacco & caske to be paid upon demand in Great or Little Choptanck Rivers Notwithstanding which the said William Worgan the aforesaid Summe of five thousand three hundred seventy nine pounds of tobacco though often thereunto required to them the said Nicholas and Peter or either of them hath not paid but the same to pay hitherto p. 424 refuseth and denyeth whereupon they Say they are dampnified and have losse to the Value of five thousand pounds of tobacco. and thereupon they bring their Suite.

Now here at this day to wit the ninth day of December in the three & fortith yeare of the Dominion of Caecilius &c the Sheriff of Dorchester County maketh returne that the said William Worgan is not found in his Bayliwick whereupon the said Nicholas & Peter prayed an attachment against the goods and Chattells of the said William according to an Act of Assembly in that case made & provided and it is granted unto them by the Court here.

Christopher Rousby
ag^{t}
Jonathan Squire adm^{r}
John Morecroft

Jonathan Squire Administrator of the Goods and Chattells of John Morecroft late of the Citty of S^{t} Maries Gent deceased was attached to answer unto Christopher Rousby of Calvert County Gent of a plea of trespas upon the case.

And whereupon the said Christopher by John Rousby his Attorny Saith that Whereas the said John Morecroft in his life time was indebted unto the said Christopher for divers goods and merchandizes to him sold and delivered at divers dayes and times that is to say from the twentith day of May in the yeare of Our Lord One thousand Six hundred & Seventy untill the Six and twentith day of September One thousand six hundred Seventy two the summe of eight hundred and nine pounds of tobacco, and also the summe of three hundred twenty five pounds of tobacco for executeing Severall writts by the said Christopher dureing the time aforesaid when he was Sheriff of the said County of Calvert a particular of which said goods and merchandizes and also of the said writts is here in Court produced amounting in the whole to the summe of eleven hundred thirty foure pounds of tobacco In consideration whereof the said John Morecroft did assume upon himselfe and to the said Christopher faithfully promise that he the said John the said Summe of One thousand One hundred thirty foure pounds of tobacco to him the said Christopher when thereunto required would well and truly pay and Satisfie Notwithstanding which the said John Morecroft in his life time nor the said Jonathan Squire Since his death to whom administration of all and Singular the goods and chattells which were of the said John Morecrofts at the time of his death by the Hon^ble^ Philip Calvert Esq Com̄issary Gen^ll^ after the death of the said John was committed although often required the aforesaid One thousand One hundred thirty foure pounds of tobacco have not rendred unto the said Christopher but the same to him to pay the said John Morecroft hath denyed and the Said Jonathan doth yet deny and refuse whereupon he saith he is dampnified and hath losse to the value of two thousand pounds of tobacco and thereupon he bringeth his suite.

Now here at this day to wit the twelfth day of December in the 43th yeare of the Dominion of Caecilius &c came the said Christopher by his Attorny aforesaid and Offered himselfe against the said Jonathan in the plea aforesaid and the said Jonathan by Kenelm Cheseldyn his Attorny came likewise and Saith nothing in barre of the action aforesaid of him the said Christopher for that the said John Morecroft in his life time did Owe unto the said Christopher the said summe of One thousand One hundred thirty foure pounds of tobacco the debt aforesaid therefore it is considered by the Court here that the said Christopher recover against the said Jonathan the administrator of the said John the said summe of One thousand One hundred thirty foure pounds of tobacco the debt aforesaid.

Mathias Decosta
ag^t^
George Charlsworth

George Charlsworth late of S^t^ Maries County planter was Sum̄oned to answer unto Mathias Decosta of a plea that justly he make a reasonable account for the time he was Attorny Bayliff or Receivor of the goods and tobacco of him the said Mathias of what cause soever and contract to the sole proffit of him the said Mathias and which to him to make he ought. p. 425

And whereupon the said Mathias Decosta by Robert Ridgely his Attorny Saith that whereas the said George from the day of June in the yeare of Our Lord One thousand Six hundred Seventy two untill the eight and twentith day of April then next following was Attorny Bayliff and Receiver of the goods and tobacco of him the said Mathias haveing by the same time the care & management of the plantation of the said Mathias in S^t^ Maries County aforesaid together with Servants twenty

Liber M M Seaven head of cattle One horse and eighty One head of hoggs and of all and Singular the issues & profitts comeing aswell of the said Plantation and Servants by tilling and manureing thereof as also of the issues and profitts comeing of the said cattle and hoggs by their encrease and of the said horse by his labour And also the said George by the same time had received of Daniel Devine foure hundred and forty pounds of tobacco with which said tobacco as also with the issues and profitts aforesaid the said George was to dispose and merchandize and make profitt thereof for him the said Mathias and to render an accompt thereof to him the said Mathias when thereunto required Yet the said George reasonable accompt thereof to the said Mathias hath not thereof made though often thereunto demanded but the same to him to make hitherto hath denyed and as yet doth deny to the damage of him the said Mathias thirty thousand pounds of tobacco and thereupon he bringeth his suite.

And the said George Charlsworth by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court and the Same day is given to both parties.

Att which day to wit ninth day of December in the three and fortith yeare of the Dominion of Caecilius &c came the said George Charlsworth by his Attorny aforesaid but the said Mathias Decosta came not to prosecute the plaint aforesaid therefore it is considered by the Court here that the said George Charlsworth recover against the said Mathias Decosta the summe of   pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Mathias in mercy for his false claime.

Lydia Solly admrx of
Benja Solly
agt
Thomas Ward

Thomas Ward late of St Maries County otherwise called Thomas Ward of St Maries County was Sumōned to answer unto Lydia Solly deceased of a plea that he render unto her the summe of three thousand foure hundred twenty three pounds of tobacco which from her he unjustly deteineth.

And whereupon the said Lydia by Robert Carvile her Attorny Saith That where the said Thomas the two and twentith day of June in the yeare of Our Lord One thousand six hundred seventy foure by his certaine bill or writeing Obligatory sealed with the seale of the said Thomas and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himself to owe and stand indebted to the said Benjamin Solly the summe of three p. 426 thousand foure hundred twenty three pounds of good Sound lawfull merchantable tobacco and caske to be paid to the Said Benjamin his heirs executors administrators or assignes at or before the tenth day of October next ensueing the date of the said bill in some convenient landing place in the said County Yet notwithstanding the said Thomas the said Sum̃e of three thousand foure hundred twenty three pounds of tobacco to him the said Benjamin in his life time nor to the said Lydia since his death though often thereunto required according to the said bill hath not paid or satisfied but the same to pay or satisfie hath hitherto denyed and still doth deny and refuse to pay the same To the damage of the said Lydia foure thousand pounds of tobacco and thereupon she bringeth her suite. Liber M M

And the said Lydia produceth here in Court the Letters of administracōn of the goods and Chattells of the said Benjamin whereby it may appeare to the Court here that she hath right to Administration &c.

And the said Thomas in his proper person cometh and defendeth the force and injury when &c and saith nothing in barr of the action aforesaid of her the Said Lydia for the debt aforesaid for that he acknowledgeth he oweth the same as aforesaid Therefore it is considered by the Court here that the said Lydia recover against the said Thomas aswell the summe of three thousand foure hundred twenty three pounds of tobacco the debt aforesaid as also the sūme of One hundred eighty and Seven pounds of tobacco for her costs and Charges in the behalfe laid Out and expended and the said Thomas in mercy.

Richard Moy
ag^{t}
Richard Chilman

Richard Chillman late of S^{t} Maries County planter otherwise called Richard Chillman of the County of S^{t} Maries in the Province of Maryland was sumōned to answer unto Richard Moy in a plea that he render unto him the summe of eleaven hundred pounds of tobacco which to him he oweth and unjustly deteineth &c.

And whereupon the said Richard Moy by Robert Carvile his Attorny saith that the said Richard Chillman the two and twentith day of October in the yeare of Our Lord One thousand six hundred Seventy foure by his certaine bill obligatory Sealed with the Seale of the said Richard Chillman and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe holden and firmly bounden unto the said Richard Moy in the full and just quantity of eleven hundred pounds of good Sound merchantable tobacco and caske to be paid unto the said Richard Moy or to his certaine Attorny his heirs executors administrators and assignes in Some convenient place in the County aforesaid upon demand To the which payment well and truly to be made he did bind himselfe his heirs execut^{rs} and adm^{rs} firmly by those presents Notwithstanding which the said Richard Chillman the said sum̃e of eleaven hundred pounds of tobacco according to the tenor of his said bill though often thereunto required hath not paid but the same to pay hitherto hath denyed and yet doth deny whereupon the said Richard Moy Saith he is dampnified and hath losse to the Value

Liber M M of two and twenty hundred pounds of tobacco and thereupon he bringeth his Suite.

Now here at this day to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Richard Chillman in his proper person and defendeth the force and injury when &c and Saith nothing in barr or avoidance of the action aforesaid against him whereupon the said Richard Moy remaineth against the said Richard Chillman thereo[f] undefended therefore it is considered by the Court here that the said Richard Moy recover against the said Richard Chillman aswell the sum̄e of eleven hundred pounds of tobacco the debt aforesaid as also the sũme of One hundred eighty Seaven pounds of tobacco for his costs and charges in this behalfe laid Out and expended And the said Richard Chillman in mercy.

p. 427 Richard Moy agt Thomas Loquer } Thomas Loquer late of St Maries County otherwise called Thomas Loquer of the County of St Maries in the said Province Taylor was Sumōned to answer unto Richard Moy of a plea that he render unto him the said Richard the sum̄e of foure hundred twenty Seaven pounds of tobacco which to him he oweth & unjustly detaineth &c.

And whereupon the said Richard by Robert Carvile his Attorny saith that whereas the said Thomas the tenth day of March in the yeare of Our Lord One thousand six hundred Seventy three by his certaine bill or writeing Obligatory Sealed with the seale of him the said Thomas and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to owe and Stand indebted unto the said Richard in the full and just Sum̄e or quantity of foure hundred twenty Seaven pounds of tobacco and caske to be paid to the said Richard in some convenient place in the said County upon demand Yet notwithstanding the Said Thomas the Said Summe of foure hundred twenty Seven pounds of tobacco to him the said Richard according to the said bill though often thereunto requested hath not paid or Satisfied but the same to pay doth deny and refuse to the damage of the said Richard One thousand pounds of tobacco And thereupon he bringeth his Suit.

Now here at this day to wit the ninth day of December in the 43th yeare of the Dominion of Caecilius &c Came the said Thomas Loquer in his proper person and saith nothing in barre of the action aforesaid of him the said Richard because he oweth the said Richard the said Sum̄e of foure hundred twenty seaven pounds of tobacco whereupon the said Richard remaineth against the said Thomas thereof undefended Therefore it is considered off by the Court here that the said Richard recover against the Said Thomas the said summe of foure hundred twenty seven pounds of tobacco the debt aforesd as also the sume of One hundred eighty Seven pounds of tobacco for his costs & charges in that behalfe laid Out and expended and the said Thomas in mercy. Liber M M

Kenelm Cheseldyn agt John Hollins } John Hollins late of Calvert County was Sumōned to answer unto Kenelm Cheseldyn One of the Attorneys of this Court in a plea that he render unto him the summe of twelve hundred pounds of tobacco which to him he oweth and unjustly deteineth according to the libertyes and priviledges &c.

And whereupon the said Kenelm in his Proper person Saith That whereas the Said John Hollins the fifth day of December in the yeare One thousand Six hundred Seventy two did by his certaine writeing Obligatory Sealed with the seale of the said John here in Court produced whose date is the same day and yeare abovewritten acknowledge himself to Owe and Stand indebted unto the Said Kenelm Cheseldyn of the Citty of St Maries the full summe of twelve hundred pounds of good tobacco to be paid upon all demands in Calvert County to which payment well and truly to be made he did bind himselfe his heirs executrs administrators and assignes firmly by those presents Notwithstanding which the said John the said summe of twelve hundred pounds of tobacco according to the tenor of his said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and Still doth deny to the damage of the said Kenelm Sixteene hundred pounds of tobacco and thereupon he bringeth his suite.

Now here at this day to witt the ninth day of December in the 43th yeare of the Dominion of Caecilius &c Came the said John Hollins in his proper person and Saith nothing in barre or avoidance of the action aforesaid of him the said Kenelm because he oweth unto the said Kenelm the said summe of twelve hundred pounds of tobacco whereupon the Said Kenelm remaineth against the Said John thereof undefended Therefore it is considered by the Court here that the Said Kenelm recover against the said John Hollins aswell the summe of twelve hundred pounds of tobacco the debt aforesaid as also the sum̄e of five hundred and twelve pounds of tobacco for his costs and charges in that behalfe laid Out and expended and the said John in mercy. p. 428

Henry Phippes agt Robert Procter } Robert Procter late of Ann Arundell County otherwise called Robert Prockter was Sumōned to answer unto Henry Phippes administrator of the goods and chattells of Edward Maynard deceased in a plea yt he render unto him the sume of One thousand eight hundred and thirty pounds of tobacco which from him he unjustly deteineth

And whereupon the Said Henry by Kenelm Cheseldyn his At-

Liber M M torny Saith that whereas the Said Robert the Seventh day of November in the yeare One thousand six hundred and Seventy did by his certaine writeing Obligatory Sealed with the Seale of the Said Robert in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs execut^{r}s administrators or assignes to pay or cause to be paid unto the said Edward Maynard his heirs execut^{rs} adm^{rs} or assignes the full and just Summe of One thousand eight hundred and thirty pounds of good merchantable tobacco caske to be paid as some convenient place in the abovesaid County to be paid upon all demand after the date thereof Notwithstanding which the said Robert the said summe of One thousand eight hundred and thirty pounds of tobacco to him the said Edward in his life time nor to the said Henry Since his death to whom administration of all and Singular the goods and chattells which were the Said Edwards at the time of his death Since his death hath beene committed hath not paid though often thereunto required but the same to pay hitherto hath and Still doth deny to the damage of the Said Henry the summe of three thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Henry bringeth in Court here the Letters of administration to him granted of all and Singular the goods and Chattells which were the Said Edwards at the time of his death that it may appeare to the Court here that he is administrator of the said Edward and thereupon to have administration

And the said Robert by Thomas Bland his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Court and it is granted unto him the same day is given to both parties.

Now here at this day to wit the thirtenth day of December in the 43th yeare of the Dominion of Caecilius &c came the said Henry by his Attorny aforesaid and Offered himselfe against the said Robert in the plea aforesaid but the said Robert Proctor came not but made default therefor[e] it is considered by the Court here that the Said Henry recover against the Said Robert the said Summe of One thousand eight hundred and thirty pounds of tobacco the debt aforesaid as also the summe of five hundred twenty eight pounds of tobacco for his costs & charges in that behalfe laid Out and Expended

Daniell Jenifer
ag^{t}
George Charlsworth

Vincent Atcheson
ag^{t}
the same

Richard Moy
ag^{t}
the same

George Charlsworth late of S^{t} Maries County otherwise called George Charlsworth of S^{t} Hellens in the County of S^{t} Maries Planter was Sumoned to answer unto Daniell Jenifer of a plea that he render unto him fourteen hundred and foureteen pounds of tobacco which to him he oweth and unjustly deteineth The same George Charlsworth otherwise called George Charlseworth of the County of S^{t} Maries in the Province of Maryland Gent was Sumōned to answer unto Vincent Atcheson of a plea that he render unto him the summe of five thousand Six hundred Sixty nine pounds of tobacco which to him he oweth and unjustly deteineth. Liber M M p. 429

The same George Charlsworth otherwise called George Charlsworth of the County of S^{t} Maries in the Province aforesaid Planter was Summoned to answer unto Richard Moy of a plea that he render unto him the sum̄e of foure thousand One hundred forty One pounds of tobacco which to him he oweth and unjustly deteineth.

And the said George Charlsworth by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c.

And the said Richard Moy at this day to witt the twelfth day December in the 43th yeare of the Dominion of Caecilius &c exhibited into Court here this accompt Vizt.

In Maryland Anno Dom̄ 1674.

George Charlsworth D^{r}	ŧ tob̄	Ꝑ Contra Cred^{r}	ŧ tob̄
To your bill accepted frō Atcheson	5769	Ꝑ tob̄ paid Rob^{t} Grimes	3328
to y^{r} bill pay^{ble} on demayed	4141	Ꝑ tob̄ paid on Jenifers bill	0736
to yo^{r} bill accepted from Jenifer	1414	Ꝑ Rob^{t} Ridgely	0335
to y^{r} acc^{t} in journall A. fol̄ 164	0172	Ꝑ tallow	0090
to 2 q^{ts} of wine	0040	Ꝑ egges	0045
		Ꝑ W^{m} Claw	0238
		Ꝑ Vincent Atcheson	0330
		Rest to ball̄	6434
	= 11536		= 11536

Errors excepted Ꝑ me
Richard Moy.

And the said George Charlsworth Said nothing in barr or avoidance of the ballance of the accompt abovesaid whereupon the said Richard Moy for the same remaineth against the said George thereof undefended therefore it is considered by the Court here that the said Richard Moy recover against the said George Charlsworth aswell the said Summe of Six thousand foure hundred thirty foure pounds of tob̄ the debt aforesaid as also the summe of Seventeen hundred twenty One pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said George in mercy.

Whereas I have Obtained judgment against George Charlsworth for eight thousand One hundred fifty and five pounds of tobacco debt and costs of Suite these are therefore to desire you to acknowledge Satisfaction upon record of the said judgment and for So doeing this shall be your warrant as wittnes my hand this Second day of ffebruary An^{o} Dom̄ 1674.

Testis Char: Delaroche. Richard Moy.

To Robert Carvile One of the
Attornyes of the Provinciall
Court.

Liber M M Be it Knowne unto all men by these presents that I George Charlsworth of S^t Maries have remised released & for ever quitt claimed and by these presents doe for me my heirs executors and adm^{rs} remise release & for ever quittclaime unto Richard Moy of S^t Maries County all and all manner of actions Suites or cause of actions writts of errors or cause of any writts of errors debts duties and demands whatsoever which I now have or hereafter may have for any matter cause or thing whatsoever from the begining of the World to this day In wittnes whereof I have hereunto sett my hand & seale this second day of ffebruary An^o Dom̄ 1674.

Testes. George Charlsworth (Sealed.)
Ro: Carvile
Char: Delaroche.

p. 430 Henry Phippes
ag^t
John Beaman

John Beaman late of Ann Arundell County otherwise called John Beaman in the County of Ann Arundell in the Province of Maryland was Sumoned to answer unto Henry Phipps administrator of the goods and Chattells of Edward Maynard deceased in a plea that he render unto him the Summe of One thousand foure hundred thirty pounds of tobacco which from him he unjustly detaineth.

And whereupon the Said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the Said John Beaman the first day of September in the yeare One thousand Six hundred and Seventy did by his certaine writeing Obligatory Sealed with the Seale of the Said John here in Court produced whose date is the Same day and yeare abovewritten acknowledge himselfe to Owe and Stand indebted unto the said Edward Maynard merchant and Comander of the good Shipp called the William of Dover then rideing at anchor in the River of Patuxent in the Province aforesaid the full and just Summe of One thousand foure hundred and thirty pounds of good Sound merchantable tobacco in caske to be paid the said Edward Maynard his heirs executors adm^{rs} at or upon the tenth day of October next ensueing the date thereof and for the true performance thereof did bind himselfe his heirs executors adm^{rs} firmly by these presents Notwithstanding which the said John Beaman the said Sūme of fourteen hundred and thirty pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid to the said Edward in his life time nor to the said Henry Since his death to whom administration of all & Singular the goods and Chattells which were the Said Edward at the time of his death Since his death hath beene Committed though often thereunto required but the same to pay hitherto hath and still doth altogether deny to the damage of the Said Henry three thousand pounds of tobacco And thereupon he bringeth his Suite.

Liber M M

And the Said Henry bringeth also here into Court the Letters of admcōn to him granted of all and Singular the goods and Chattells which were the said Edwards at the time of his death Since his death to him committed that it may appeare to the Court here that he is administrator of the said Edward and thereupon to have administration

And the said John by Robert Carvile his Attorny Cometh and defendeth the force and injury when &c and prayes liberty of Speakeing hereunto untill next Provincial Court and it is granted unto him the same day is given to both parties

Att which day to witt the thirtenth day of December in the 43th yeare of the Dominion of Caecilius &c came the said Henry by his Attorny aforesaid and offered himselfe against the said John in the plea aforesaid and the said John by his Attorny came likewise and Saith nothing in barr or avoidance of the action aforesaid of him the said Henry for that he oweth the said Summe of fourteen hundred and thirty pounds of tobacco as in the declaracōn abovesaid is declared as also the summe of Seven hundred thirty three pounds of tobacco more the remainder of his bill for two thousand Six hundred forty nine pounds of tobacco whereupon the said Henry remaineth against the said John thereof undefended Therefore it is considered by the Court here that the Said Henry recover against the said John Beaman aswell those Severall sumes of fourteene hundred and thirty pounds of tobacco and seven hundred thirty three pounds of tobacco amounting in the whole to the summe of two thousand One hundred Sixty three pounds of tobacco as also the summe of five hundred forty and foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said John Beaman in mercy:

Henry Phippes
agt
John Beaman &
Mathew Harden

p. 431

Comand was given to the Sheriff of Ann Arrundell County That he take John Beaman and Mathew Harden late of his County otherwise called John Beaman and Mathew Harding in the County of Ann Arrundell Planters or Inholders in the Province of Maryland if they should be found in his Bailiwick and them Safe Keepe So yt he have their bodyes here to witt the thirtenth day of October in the 43th yeare of the Dominion of Caecilius &c to answer unto Henry Phippes Administrator of the goods and chattells of Edward Maynard deceased in a plea that they render unto him the summe of One thousand and eight hundred pounds of tobacco which from him they unjustly deteine.

Att which Said thirtenth day of October the same Sheriff maketh returne that he hath taken the said John Beaman whose body he hath at the day and place as he is required and that the said Mathew Harden is deceased.

Liber M M And whereupon the said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the said John Beaman and Mathew Harding the twelfth day of September in the yeare One thousand Six hundred and Seventy did by their certaine writeing Obligatory Sealed with the Seales of them the Said John and Mathew here in Court produced whose date is the same day and yeare abovewritten acknowledge themselves to Owe and be indebted to Mr Edward Maynard Merchant and Com̄ander of the good Shipp called the William of Dover now rideing at anchor in the River of Petuxent in the Province aforesaid the full and just Summe of One thousand and eight hundred pounds of good Sound merchantable tobacco to be paid the said Edward Maynard his heirs executrs administrators at or upon the tenth day of October next ensueing the date thereof for the true performance whereof they did bind themselves, their heirs executors admrs firmly by those presents Notwithstanding which the said John and Mathew the said Summe of eighteene hundred pounds of tobacco to him the said Edward while he was liveing nor to the said Henry Since his death to whom administration of all and Singular the goods and chattells which were the said Edwards at the time of his death since his death hath beene committed hath not paid though often thereunto required but the same to him to pay hitherto hath and still doth altogether deny to the damage of the said Henry three thousand pounds of tobacco And thereupon he bringeth his Suite—And the Said Henry bringeth also here into Court the Letters of administration to him granted of all and Singular the Goods and Chattells which were the said Edwards at the time of his death that it may appeare to the Court here that he is administrator of the Said Edward and thereupon to have administration

And the said John by Robert Carvile his Attorny cometh & defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Court and it is granted him the same day is given to both parties

Now here at this day to wit the thirtenth day of December in the 43th yeare of his Lop̄ps Dominion &c Came the said Henry by his Attorny and Offered himselfe against the said John in the plea aforesaid and the said John by Robert Carvile his Attorny came likewise and the said John Saith nothing in barr or avoidance of the action aforesaid of him the said Henry for that he oweth the said summe of eighteen hundred pounds of tobacco in the declaration p. 432 abovesaid declared against him whereupon the said Henry remaineth against the said John thereof undefended therefore it is considered by the Court here that the said Henry recover against the said John the said summe of eighteen hundred pounds of tobacco the debt aforesaid as also the summe of five hundred forty foure pounds of tobacco costs of Suite in that behalfe laid Out and expended and the said John in mercy.

Garret Vansweringen agt Mathias Decosta

Comand was given to the Sheriff of St Maries County that he take Mathias Decosta otherwise called Mathias Decosta of St Maries County in the Province of Maryland planter if he Should be found in his Bailiwick and him safe Keepe So that he have his body here the eighth day of December in the three & fortith yeare of his Lopps Dominion &c to answer unto Garret Vansweringen of a plea that he render unto him the summe of eight thousand pounds of tobacco which to him he Oweth and unjustly deteineth

Att which day the same Sheriff maketh returne that the said Mathias is not found in his Bailiwick. whereupon Ordered that an Attachment be granted the plaintiff according to Act of Assembly in that case made

John Quigley agt John Dobbs

John Dobbs late of Kent County otherwise called John Dobbs of Kent County was Sumoned to answer unto John Quigley in a plea that he render unto him Six thousand twenty One pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorny Saith that whereas the Said John Dobbs the first day of June in the yeare One thousand six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of the Said John Dobbs here in Court produced whose date is the same day and yeare abovewritten did bind himselfe his heirs executrs admrs to pay or cause to be paid to Capt John Quigley his executors administrators or certaine Attorny or assignes conveniently in Chester River the full and just Summe of Six thousand twenty and One pounds of good Sound merchantable tobacco and caske it being for a valuable Consideration already in hand received notwithstanding which the said John Dobbs the said summe of six thousand twenty One pounds of tobacco to him the said John Quigley according to the tenor of his said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and Still doth deny to the damage of the Said John Quigley eight thousand pounds of tobacco And thereupon he bringeth his suite.

Now here at this day to witt the ninth day of December in the 43th yeare of his Lopps Dominion &c Came the Said John Dobbs by Robert Carvile his Attorny and defendeth the force and injury when &c and Saith nothing in barr or avoidance of the action aforesaid of him the said Jno Quigley for that he oweth the said John Quigley the abovesaid sume of Six thousand twenty One pounds of tobacco in the abovesaid declaration mentioned whereupon the said John Quigley remaineth against the said John Dobbs thereof undefended, Therefore it is considered by the Court here that the said

Liber M M p. 433 John Quigley recover against the said John Dobbs aswell the said summe of Six thousand twenty One pounds of tobacco the debt aforesaid as also the sume of five hundred forty foure pounds of tobacco for his costs and Charges in this behalfe laid Out and expended and the said John Dobbs in mercy

To Mr Robert Carvile Mr Robt Ridgely or any Other of the Attornyes at St Maries These are to impower you or any One of you to be my lawfull Attorny to confesse judgment to an action of trespas upon the case for a debt of Six thousand twenty One pounds of tobacco due to Capt John Quigley and for your or any of your So doeing this shall be your Sufficient warrant of Attorny Wittnes my hand & seale this 4th day of Decembr. Annoꝗ Dom̄ 1674.

Signed Sealed & delivered
in prsence of
Tobias Wells
M: Miller.

John ID Dobbs (Sealed)
his Signe & Seale.

John Quigley
agt
Jonathan Hopkins
&
Edward Winckles

Jonathan Hopkins and Edward Winckles late of Talbott County otherwise called Jonathan Hopkins and Edward Winckles of Wye River County of Talbott and Province of Maryland Planters were Sumōned to answer unto John Quigley in a plea that they render unto him the summe thirty three thousand eight hundred and Six pounds of tobacco which to him they Owe and unjustly deteine

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorny Saith that whereas the said Jonathan Hopkins and the said Edward Winckles the eightenth day of April in the yeare One thousand six hundred Seventy foure by their certaine writeing Obligatory Sealed with the Seales of them the said Jonathan and Edward here in Court produced whose date is the Same day and yeare first abovewritten did confesse themselves to Owe and be holden and firmly bounden unto the said John Quigley of the said Province merchant his heirs executors administrators ffactors or assignes in the full and just quantity of thirty three thousand eight hundred and Six pounds of good leafe tobacco in caske To the which payment well and truly to be made they did bind themselves joyntly and Severally in the whole and for the whole their heirs executors administrators firmly by those presents Notwithstanding which the said Jonathan and Edward the said sum̄e of thirty three thousand eight hundred and Six pounds of tobacco according to the tenor of their Said writeing Obligatory hath not paid to him the said John Quigley though often thereunto required but the Same to him to pay hitherto have and Still doe altogether deny to the damage of the said John Quigley the summe of forty thousand pounds of tobacco And thereupon he bringeth his Suite. Liber M M

And the said Jonathan and Edward by Robert Carvile their Attorny doth Come and defend the force and injury when &c and pray heareing of the writeing aforesaid and it is read unto them they also pray heareing of the Condition of the said writeing and it is read unto them in these words The Condition of the above Obligation is such that if the abovebound Jonathan Hopkins or Edward Winckles they or either of them their heirs executors administrato^rs^ or assignes will well and truly without any manner of fraud deceipt covin or trouble pay or cause to be well and truly paid unto the abovenamed John Quigley his heirs executors administrators factors or assignes the neate quantity of Sixteene thousand nine hundred and three pounds of good Sound merchantable arranoco tobacco in caske either p. 434 in Wye or Miles River at or before the tenth day of October next then the above Obligation to be void or else to remaine and be in full force and virtue in Law In wittnes whereof Wee have hereunto sett Our hands and affixed Our seales the day and yeare abovewritten which being read and heard the said Jonathan and Edward by their Attorny aforesaid at this day to witt the ninth day of December in the three & fortith yeare of the Dominion of Caecilius &c Say nothing in barre of the action aforesaid of him the said John for that they Owe unto him the said John Quigley the said summe of Sixteene thousand nine hundred and three pounds of tobacco Whereupon the said John remaineth against the said Jonathan and Edward thereof undefended therefore it is considered by the Court here that the said John Quigley recover against the said Jonathan and Edward the said summe of Sixteene thousand nine hundred and three pounds of tobacco as also the samme of five hundred forty foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended but so as execution for the One moyety or halfe part of the debt aforesaid Stay untill the tenth day of October next.

Whereas Wee Edward Winckles and Jonathan Hopkinson both of Talbott County in the Province haveing been arrested at the Suite of John Quigley in a plea of debt These are therefore to authorize and appoint Robert Carvile One of the Attornyes of the Provinciall Court of the said Province to appeare and putt in such plea as to him shall seeme meet & convenient. and for So doeing this shall be his warrant Wittnes my hand & seale this 14th day of December 1674.

Wittnes hereunto Edward Winckles (Sealed)
Peter Eure
Kenelm Cheseldyn.

I doe hereby nominate and appoint Robert Carvile Gent One of the Attornyes of the Provinciall Court to be Attorny and of Coun-

Liber M M cell for the Right Hon^{ble} the Lord Proprietary in any Court of Record within this Province in all suits and causes whatsoever relateing to his Lopp̄s concernes Given under my hand this six and twentith day of March 1675. Charles Calvert.

John Quigley
ag^{t}
John Blackistone

John Blackistone late of S^{t} Maries County was attached to answer unto John Quigley in a plea of trespas upon the case

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorny complaineth that whereas the said John Blackistone the Sixtenth day of June in the yeare One thousand six hundred Seventy foure bought had and received of the Said John Quigley divers goods and merchandizes at divers dayes and times to witt from the said Sixtenth day of June in the yeare aforesaid untill the eight and twentith day of June in the same yeare a particular whereof is here in Court produced amounting in the whole to the summe of ten thousand two hundred forty nine pounds of tobacco In consideration whereof the said John Blackiston did assume upon himselfe and to the said John Quigley did faithfully promise that he the said John p. 435 Blackiston the said summe of ten thousand two hundred forty nine pounds of tobacco to him the said John Quigley when thereunto required would well and truly content and pay Notwithstanding which the Said John Blackistone the said Summe of ten thousand two hundred forty nine pounds of tobacco according to his promise hath not paid though often thereunto required but the same to pay hitherto hath and Still doth deny to the damage of the said John Quigley twelve thousand pounds of tobacco And thereupon he bringeth his suite.

Now here at this day to wit the ninth day of December in the 43th yeare of the Dominion of Caecilius &c Came the said John Blackistone in his Proper person and Saith nothing in barr or avoidance of the action aforesaid of him the said John Quigley for that he oweth unto the said John Quigley the Said Summe of ten thousand two hundred forty nine pounds of tobacco in the declaration abovesaid mentioned whereupon the said John Quigley remaineth against the said John Blackistone thereof undefended therefore it is considered by the Court here that the said John Quigley recover against the said John Blackistone the said Sum̃e of ten thousand two hundred forty nine pounds of tobacco the debt aforesaid as also the summe of pounds of tobacco for his costs and charges in that behalfe laid Out & expended and the said John Blackistone in mercy.

Michael Miller
ag^{t}
Eliz: Head executrix
W^{m} Head

Comānd was given the Sheriff of Kent County That whereas Michael Miller the Sevententh day of April last past Obteined judgment against William Head deceased for Six thousand pounds tobacco debt and three hundred & eight pounds tobacco costs of which he the said Michael remaineth unsatisfied, and that he make Knowne unto Elizabeth Head executrix of the last will and Testament of the said William that she be here to wit the eighth day of December in the 43th yeare of his Lōpps Dominion &c to shew cause if any she could why execution for the same should not issue. which said eight day of December was prorogued until the ninth day of the same month and then the Same Sheriff maketh returne that he hath made Knowne unto the said Elizabeth that she be & appeare at the day & place in the writt mentioned but the said Elizabeth came not but made default. therefore it is considered by the Court here that execution be granted the plaintiff Liber M M

Cuthbert Ogles agt John Rawlings } Comānd was given the Sheriff of Dorchester County That whereas Cuthbert Ogles the twentith of October One thousand Six hundred seventy One obteined judgment against the said John for foure thousand pounds of tobacco debt & three hundred sixty two pounds tobacco costs of Suite of which execution remaineth to be made, and that he make Knowne to the Said John that he be here at this day to shew cause if any he can why execution should not issue for the same now here at this day to wit the ninth day of December in the 43th yeare of the Dominion of Caecilius &c the same Sheriff maketh returne that he hath made Knowne to the said John Rawlings that he be and appeare at the day and place in the same writt mentioned. but the said John Rawlings came not but made default Therefore it it considered by the Court here that execution be granted the said Cuthbert Ogles.

Costs allowed the said Cuthbert upon the Scire facias five hundred twenty three pounds of tobacco.

It was comānded the Sheriff of St Maries County that he Levy by way of execution of the Stock of horses devided amongst the Orphants of Robert Cole deceased wheresoever they should be found within his Bailiwick One Mare with a foale by her Side adjudged by the Cheife judge or Cōmissary Generall for testamentary causes to Luke Gardner deceased and that he have the said Mare and foale here the eight day of December in the 43th yeare of his Lōpps Dominion &c to render unto Elizabeth Gardner the administratrix of the Said Luke at which said eighth day of December the same Sheriff maketh returne of the writt aforesaid that he hath levyed by way of execution One mare with a foale by her side of the proper goods and chattells of the Orphants of Robert Cole deceased which he hath ready as by the same writt he was Comānded. p. 436

Liber M M Now here at this day to wit the fourtenth day of December in the yeare aforesaid it is by the Court here Ordered that the Sheriff abovesaid deliver the Said Mare and foale to the Said Elizabeth Gardner.

December the 12th 1674

Ordered that the ffines, fforfeitures and amerciaments be estreated.

fine 500ll tob Stephen Murty being impannelled summoned and Sworne to try the issue joynd betweene John Peerce plaintiff and John Code defendant and declareing the Verdict before the same was delivered in Court here as by affidavit of Kenelm Cheseldyn fined to his Lop̄p five hundred pounds of tobacco

The Court here being sensible that the tediousnesses of the weather is the obstruction that the Sheriff of Talbott County hath made no returnes of his writts doe therefore Order that no advantage of exception is thereupon to be taken but that the Attornyes concerned enter their appearances in prosecution to tryall next Court when the same shall be returned

The Court adjourned untill the Second tuesday in ffebruary next being the ninth day thereof.

Maryland ss.

Att a Provinciall Court of the Right Honble the Lord Proprietary of this Province holden at the City of St Maries the ninth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Annoqꝫ Dom̄ One thousand six hundred Seventy foure and there continued untill the fiftenth day of the same month at which said ninth day were present.

The Honble Charles Calvert Esqꝫ Leivtenn̄t Genll & cheife justice

The Honble { Philip Calvert Esqꝫ Chancellour.
Baker Brooke
Thomas Taillor } Esqꝫ justices

The Lord Proprietary
agt
Garrett Vansweringen
the Same
agt
John Barnes executr
Walter Waterling

The judge and Com̄issary Generall in testamentary causes maketh returne of his report to the Court here in these words Vizt.

Die Saturni 6 ffebruary 1674.

To the Right Honble the Lord Proprietary in his Lop̄ps Provinciall Court his Lop̄ps judge & Com̄issary Generall in Testamentary causes.

Humbly Sheweth.

That whereas upon a suite depending between his said Lop̄p and Garrett Vansweringen and John Barnes the executor of the last will and testament of Walter Waterling, which said Vansweringen & Waterling were the Security of Major Edward ffitzherbt and Caleb Baker the execut^rs of the last will and testament of William Hattost late of Bristoll in the Kingdome of England and of S^t Maries County in this Province deceased upon breach assigned of the bond given by the said Executors and their Securityes in and upon the takeing Out Letters Testamentary upon the probate of the testament of the said Hattost The said Provinciall Court did upon the 9^th December 1674 Order that the said Comissary Generall for probate of Wills and granting Administrations should receive audite and State the accompt upon administration of the estate of William Hattost deceased and report thereof make unto the said justices of the Said Provinciall Court. The said judge Testamentary did this day call the said Executors to accompt for the said Goods and Chattells of the said Hattost deceased who appeared not in person, but by their Procurators Kenelm Cheseldyn and Robert Carvile exhibited a paper not Signed or Subscribed by the Executors or either of them, entituled an account of Debtor and Creditor of M^r William Donnings & Thomas Smarts estate in William Hattosts hand begining or dated January 10^th 1673. But accompt of the administration of the estate of William Hattost in their hands the said executors exhibited none nor any Inventory of the Goods or Chattells of the said deceased into this Court to this day other then a booke of accompts Entituled William Hattosts Day-booke this day delivered together with the account of William Donnings and Smarts estate in the hands of Hattost aforesaid all which the said judge Leaveth to the consideracōn of the said justices of the Provinciall Court as no wayes appurteining to the Court for Probate of Wills. Philip Calvert. Liber M M p. 437

Whereupon it is Ordered that the Comissary Generall in Testamentary causes should receive audite and State the accompt betweene the said William Donning and Comp^a and the said William Hattost at the time of the death of the said Hattost and report thereof make to the justices of the next Provinciall Court.

ffebruary 9^th 1674.

Ordered that the Sheriffs of each respective County within this Province make returne of their writts the day before the day of the returne of the same writts to them directed respectively under paine of One thousand pounds of tobacco fine each Sheriff neglecting herein.

April the first 1675

Came ffrancis Miles of Calvert County Taylor and desired his marke of cattle and hoggs to be recorded which is as followeth Vizt Swallow-forked in both eares.

Liber M M Nicholas Bayard & Peter Bayard
agt
William Worgan

Comānd was given to the Sheriff of Dorchester County that he take Wm Worgan otherwise called William Worgan of Dorchester County in the Province of Maryland if he should be found in his bayliwick and him safe Keepe So that he have his body before his Lop̄ps justices of the Provinciall Court to be held at the Citty of St Maries the thirtenth day of October last past to to answer unto Nicholas Bayard and Peter Bayard of New Yorke Merchts in a plea that he render unto them the summe of five thou-p. 438 sand three hundred Seventy nine pounds of good Sound merchantable leafe tobacco in caske which to them he oweth and unjustly deteineth, and whereas afterward to witt the ninth day of December last past the Same Sheriff maketh returne that the said William Worgan is not found in his Bailiwick whereupon the said Nicholas and Peter prayed an attachment against the goods and Chattells of the said William might to them be granted according to Act of Assembly in that case made and provided and it is granted them returnable at this Court.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Came the said William Worgan in his proper person and Saith nothing in barre or avoidance of the action aforesaid of them the said Nicholas and Peter for that he oweth to the said Nicholas and Peter the said summe of five thousand three hundred Seventy nine pounds of tobacco whereupon the said Nicholas and Peter remaine against the said William thereof undefended therefore it is considered by the Court here that the said Nicholas and Peter recover against the said William the said summe of five thousand three hundred seventy nine pounds of tobacco the debt aforesaid as also the summe of   pounds of tobacco for this costs and charges in this behalfe laid Out and by them expended and the said William Worgan in mercy.

John Balley
agt
Marke Cordea

Marke Cordea of St Maries County was attached to answer unto John Balley likewise of St Maries County in a plea of trespas upon the case.

And whereupon the said John Balley by George Oldfeild his Attorny Saith that whereas upon the second day of April in the yeare One thousand Six hundred seventy three the said Mark Cordea did instantly request the Said John to furnish him some quantityes of tobaccoes to dispatch away for New Yorke the Sloop of Samuel Davis assumeing upon himselfe and unto the said John faithfully did promise that he would pay unto him the said John in the month of November then next ensueing at some conven[ient] places of the easterne Shoare within this Province as many pounds of porke as the Said John should furnish him pounds of tobacco. And the Said

John in fact Saith that he trusting to the assumption and faithfull Liber M M promise of the said Marke did at the same time to wit the Second day of April One thousand six hundred seventy three furnish unto the said Mark Cordea forty One hdds of tobacco containeing neat seventeen thousand eight hundred and ninty Six pounds of tobacco Moreover the said John Balley Saith that whereas upon the Seventh day of June following of the same yeare One thousand Six hundred Seventy three the said Marke Cordea did againe instantly request the said John Balley to furnish him Other thirty hdds of tobacco more to be sent for Petuxent aboard the Canary-bird assumeing upon himselfe and unto the said John faithfully did promise that he would pay unto him the said John in the month of Novem[ber] then next ensueing at some convenient places of the easterne shoare within this Province as many pounds of porke as the said thirty hdds of tobacco should containe pounds of tobacco and the said John saith that he trusting to the assumption and faithfull promise of the said Marke did at the same time to wit the Seventh day of June One thousand six hundred seventy three furnish unto him the said Marke Cordea the said number of thirty hdds of tobacco containeing neate thirteene thousand six hundred and forty two pounds of tobacco both which summes of forty One hdds containeing Seventeene thousand eight hundred ninty Six pounds and thirty hdds containing thirteene thousand six hundred forty two pounds amounts together p. 439 unto the sum̃e of thirty One thousand five hundred and thirty eight pounds of tobacco for the which the said Marke Cordea was to pay according to his agreement assumption and faithfull promise thirty One thousand five hundred & thirty eight pounds of porke unto the said John Balley as aforesaid Moreover the Said John Balley Saith that he hath oftentimes requested the said Marke Cordea to make him payment of the said porke and especially upon the nine and twentith day of November of the same yeare One thousand six hundred Seventy three at which time the said John did carry unto the said Marke Cordea his Plantation upon the Crosse Mannour in St Maries County foure caske containeing two and twenty bushells of Salt to be transported for the Eastern shore and he the Said John to goe along with it and therewith to salt and preserve the Said quantity of porke which he then expected to receive of the said Marke Whereupon the said Marke did require a delay of payment untill after Christmas Hollidayes faithfully promiseing that then he would without faile give notice to the said John to goe along with him for the Easterne Shore to make him payment of the said porke and then they should carry along with them the said foure caske of Salt and that in the meane time he the said Marke would cause the said Salt to be Secured and housed in some of the tobacco houses of the Said Plantation Yet notwithstanding the said Marke Cordea his promises and assumptions aforesaid little regarding but craftily

Liber M M deviseing and fraudulently intending him the said John Balley of the said thirty One thousand five hundred thirtyeight pounds of porke and two and twenty bushells of Salt to deceive he the said Marke the said summe or quantity of thirty One thousand five hundred thirty eight pounds of porke according to his promises aforesaid hath not paid nor the said two and twenty bushells of Salt hath not restored although he hath been by the said John oftentimes since thereunto required but the same porke to content and pay and the said Salt to restore he doth altogether deny and refuse whereupon he the said John Balley Saith he is dampnified and losse hath to the value of fourescore thousand pounds of tobacco and thereupon he bringeth his Suite.

And the Said Marke by Kenelm Cheseldyn his Attorny doth come and defendeth the force and injury when &c and Saith he did not assume upon himselfe in manner or forme as the said John Balley above in his declaration hath declared against him and of this he putts himselfe upon the Country. and the said John likewise therefore it is com̃anded the Sheriff of St Maries County that he cause to come here twelve &c.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Came the said John Balley by his Attorny and offered himselfe against the said Marke in the plea aforesaid and the said Marke by his Attorny and the jurors of that jury likewise came to wit Roger Baker John Burage Thomas Doxey John Garnish Justinian Gerard Samuel Dobson Wm Watts John Gittings Thomas Bowdle William Worgan James Veitch and Cornelius Watkinson who being impannelled sumōned and sworne to Say the truth in the premisses and standing at the barre and the declaration and plea aforesaid being read the said Marke Cordea by his Attorny aforesaid Saith nothing in barre or avoidance of the p. 440 action aforesaid of him the Said John whereupon the said John Balley remaineth against the Said Marke Cordea thereof undefended therefore it is Considered by the Court here that the said John Balley recover against the said Marke Cordea the said Sum̃e of thirty One thousand five hundred thirty eight pounds of tobacco and two and twenty bushells of Salt as also the summe of One thousand ninty Six pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said Marke Cordea in mercy &c.

The jury in this cause being impannelled Sumōned and Sworne and ready to try the issue joyned and the defendant confesseing judgment to the action Ordered that the jury be paid their charges.

Benjamin Cowell
agt
Richard Tilghman

Comānd was given the Sheriff of Talbott County Whereas Richard Tilghman of his County Chirurgeon the Sixteenth day of April in the 40th yeare of his Lop̃ps Dominion & before Philip

Calvert Esq One of his Lopps justices of the Provinciall Court and Chancellour of this Province confest judgment unto Benjamin Cowell for the summe of twenty thousand pounds of tobacco for which execution is not yet executed. that therefore by good and lawfull men of his Bailiwick he make Knowne to the said Richard Tilghman that he be and appeare at the Citty of St Maries at the Provinciall Court to be there holden the eighth day of December in the 43th yeare of his Lopps Dominion &c to shew cause if any he hath why execution for the summe aforesaid should not passe against him which said Provinciall Court was by his Lopps writt of adjournment adjourned untill the ninth day of the same December. Att which said ninth day of December the Same Sheriff maketh returne of the said precept Vizt I have served this Scire facias before Mathew Warde and Peter Sawyer of this County. Liber M M

Att which said ninth day of December came Kenelm Cheseldyn Administrator of the goods and Chattells of the said Benjamin and Offered himselfe against the said Richard upon the Scire facias aforesaid and the said Richard Tilghman by Mathew Warde his Attorny cometh and defendeth the force and injury when &c and prayeth liberty to imparle here until the next Court and it is granted unto him the same day is given unto both parties.

Now here at this day to witt the tenth day of ffebruary in the 43th yeare of his Lopps Dominion &c came the said Kenelm Cheseldyn but the said Richard Tilghman came not but made default therefore it is considered by the Court here that the said Kenelm Cheseldyn administrator of the said Benjamin have execution granted him against the said Richard Tilghman for the said Summe of twenty thousand pounds of tobacco as also the summe of five hundred twenty foure pounds of tobacco cost of Suite in this behalfe laid Out and expended.

John Quigley agt Isaac ffoxcroft } Isaac ffoxcroft late of St Maries Citty in the County of St Maries was attached to answer unto John Quigley in a plea of trespas upon the case.

And whereupon the said John by Kenelm Cheseldyn his Attorny complain[eth] that whereas the six and twentith day of March in the yeare of Our Lord One thousand six hundred Seventy foure at St Maries Citty in the County of St Maries a certaine comunication was had betweene the said Isaac ffoxcroft and the Said John Quigley concerning the playing at a certaine Game at Dice called Passage by him the said Isaac ffoxcroft together with him the said John Quigley the said Isaac did then and there to witt the same day and yeare and place aforesaid in consideration that he the said John Quigley had given unto him the Said Isaac ffoxcroft twenty thousand pounds of tobacco in bills under hand and Seale due to the said p. 441

Liber M M John Quigley from Severall persons in this Province as Security to him the said Isaac for what tobacco he the said Isaac at the Said Game at passage should winn of him the said John In consideration whereof the said Isaac did then and there assume upon himselfe and to the said John did faithfully promise that he the Said Isaac would well and truly content and pay to him the said John what summes of tobacco he the said John should So winn of him the said Isaac And the said John in fact Saith that he the said John did by faire and lawfull play at the said Game at passage winn of him the said Isaac the Summe of five thousand five hundred Sixty two pounds of tobacco Notwithstanding which the Said Isaac ffoxcroft the said summe of five thousand five hundred Sixty two pounds of tobacco according to his promise hath not paid to him the said John but endeavouring and fraudulently intending him the said John of the said summe of five thousand five hundred Sixty two pounds of tobacco craftily and Subtilly to deceive and defraud the said Summe of five thousand five hundred Sixty two pounds of tobacco hitherto hath & Still doth deny to pay to the damage of the said John eight thousand pounds of tobacco and thereupon he bringeth his suite.

And the said Isaac by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth license to imparle here untill next Court and it is granted him the same day is given to both parties here.

Att which said day to witt the tenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Came the said John Quigley by his Attorny and the said Isaac by his said Attorny came likewise and the said Isaac Saith that he did not assume upon himselfe and make Such promise to the said John as he hath above declared against him and of this he putts himselfe upon the Country and the said John likewise. Therefore it is Com̄anded the Sheriff of St Maries County that he cause to come here twelve &c.

Att which said tenth day of ffebruary in the yeare aforesaid came the said John Quigley and the said Isaac ffoxcroft and the jurors of that jury likewise came Vizt Roger Baker John Burage Thomas Doxey John Garnish Justinian Gerard Samuel Dobson William Watts John Gittings Thomas Bowdle William Worgan James Veitch and Cornelius Watkinson who being impannelled sumōned & Sworne to Say the truth in the premisses upon their Oathes doe say they find for the defendant Therefore it is considered by the Court here that the said John Quigley pay unto the said Isaac ffoxcroft the summe of five hundred ninty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended And the said John in mercy for his false clamour.

p. 442 Charles Calvert Esqꝫ agt Stephen Tully } Stephen Tully late of the County of Talbott Gent otherwise called Stephen Tully late High-Sheriff of the County of Talbott was Sumōned to answer unto his Excellency Charles Calvert Esqꝫ Capt Genll and Cheife Gouernour of Maryland and also Cheife justice of the Provinciall Court according to the Liberties and priviledges of Such like Cheife justices and other justices of the said Court used and allowed of a plea that he render unto him the summe of eleaven thousand Six hundred twenty and three pounds of good Sound merchantable tobacco in casque which to him he oweth and unjustly deteineth. Liber M M

And whereupon the said Charles by Robert Ridgely his Attorny Saith that whereas the Said Stephen the nine and twentith day of May in the One and fortith yeare of the Dominion of Caecilius &c Annoqꝫ D One thousand Six hundred Seventy three by his certaine writing obligatory Sealed with the seale of him the Said Stephen and here in Court produced whose date is the day and yeare aforesaid did acknowledge himselfe to be holden and firmly indebted unto the said Charles in the full and just Summe of eleaven thousand Six hundred twenty and three pounds of good Sound merchantable tobacco in caske to be paid to the said Charles Calvert or to his certaine Attorny his heirs executors admrs or assignes at some convenient place in Talbott County upon the tenth day of October next ensueing the date thereof To the which payment well and truly to be made the said Stephen did bind himselfe his heirs executors and administrators firmly by those presents Notwithstanding which the Said Stephen the said eleaven thousand Six hundred twenty and three pounds of tobacco to him the said Charles according to the Tenor of the said writeing Obligatory hath not paid though often thereunto required but the same to pay denyeth and as yet doth deny to the damage of the Said Charles of Six thousand pounds of tobacco and thereupon he bringeth his Suite.

Now here at this day to wit the tenth day of ffebruary in the three and fortith yeare of the Dominion of Caecilius &c came the said Stephen Tully in his proper person and Saith nothing in barr or avoidance of the action aforesaid of him the said Charles Calvert Whereupon the said Charles Calvert remaineth against the said Stephen thereof undefended. Therefore it is considered of by the Court here that the said Charles Calvert recover against the said Stephen Tully the said Summe of eleaven thousand Six hundred twenty three pounds of tobacco the debt aforesaid as also the sum̃e of five hundred Seventy two pounds of tobacco for his costs and charges in that behalfe laid Out and expended and the Said Stephen in mercy.

Charles Calvert Esqꝫ
agt
Stephen Tully and
Seth ffoster

Comãnd was Given the Sheriff of Talbott County that he take Stephen Tully late Sheriff of the County of Talbott otherwise called Stephen Tully of the County of Talbott in the

Province of Maryland Gent and Mr Seth ffoster late of the same County Gent otherwise called Seth ffoster of ffosters Island in Talbott County Gent if they Should be found in his Bailiwick and them safe Keepe So that he have their bodyes here at a Provinciall Court to be holden the eighth day of Decem[ber] last past to answer unto his excellency Charles Calvert Esq Capt Generall and cheife Governour of this p. 443 Province of Maryland and Cheife justice of the Provinciall Court according to the Liberties and priviledges to such like Cheife justices and Other justices of the same Court in the same Court used and allowed of a plea that they render unto him the full and just quantity of two hundred thousand pounds of good sound merchantable tobacco and casque to containe the same which to him they Owe and unjustly deteine.

Att which said eighth day of December in the yeare aforesaid the said Provinciall Court was by his Lopps writt of adjournment adjourned untill the ninth day of the same December at which said Court the same Sheriff maketh returne of the writt aforesaid that he hath taken the said Stephen Tully whose body he hath ready at the time & place as by the same writt he is comānded and that the said Seth ffoster is not found in his Bailiwick which said cause was continued untill next Court.

Now here at this day to wit the tenth day of ffebruary in the yeare aforesaid came the said Charles Calvert by Robert Ridgely his Attorny and Saith that whereas the said Stephen Tully and Seth ffoster the two & twentith day of August in the 42th yeare of the Dominion of Caecilius &c Annoq Dom̄ One thousand Six hundred Seventy three by their certaine writeing Obligatory Sealed with the seales of them the said Stephen and Seth and here in Court produced whose date is the same day and yeare aforesaid did acknowledge themselves to be holden and firmly bound unto the said Charles in the full and just quantity of two hundred thousand pounds of good Sound merchantable tobacco and caske to conteine the same to be paid to the said Charles Calvert Esq or to his certaine Attorny his heirs executors admrs or assignes for the which payment well and truly to be made the said Stephen and Seth did bind themselves joyntly and Severally their and either of their heirs executors and administrators firmly by those presents Notwithstanding which the said Seth and Stephen the said summe of two hundred thousand pounds of tobacco to him the said Charles according to the tenor of the said writeing Obligatory have not paid though often thereunto demanded but the same to pay they and either of them have denyed and yet doe deny whereupon the said Charles Saith he is dampnified and hath lost One hundred thousand pounds of tobacco And thereupon he bringeth his Suite.

And the aforesaid Stephen Tully in his Proper person cometh and Liber M M defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he also prayeth heareing of the Condition of the Said writeing Obligatory and it is read unto him in these words vizt the Condition of this Obligation is such That if the abovebounden Stephen Tully Sheriff of the County of Talbott doe well and truly Serve the Lord Proprietary his heirs and Successors in the Office of Sheriff of the said County dureing the time that he shall be Sheriff of the Same, and also shall render unto his said Lop̄p and all others his Lop̄ps Officers a true faithfull and perfect accompt of all and singular his Lop̄ps Rents and other ffees and dues that he shalbe entrusted by his Lop̄p or any of his Lop̄ps Officers within this Province to receive and collect and also all publique and County levyes that he shalbe entrusted to collect and his accompt to his Lop̄p his heirs and Successors for his rents ffines and forfeitures or other dues or summes of mony or tobacco for Levyes or ffees due to any his Lop̄ps Officers within this Province shall passe and give accompt of by the twentith day of March next and in all other things as Sheriff of the said County shall behave himselfe well and honestly towards all persons according to the best p. 444 of his Skill and Knowledge Then this Obligation to be Void and of none effect otherwise to Stand remaine and be in full power and force which being read and heard the said Charles Calvert produceth here into Court the accompt following Vizt

Stephen Tully late Sheriff of Talbott County Dr to his Excellency Charles Calvert	ƚ tob̄
To the Rents of the said County by him recd qt neate	17433
To Secretaryes ffees by him received	12736
To ffines and amerciaments by him received	01650
To alienations by him received	01156
To tobacco received of Mr Hemsley	02000
To tobacco received of Mr Carvile	04000
To tobacco received of Mr Ward	01500
To tobacco received of Thomas Norrice	00335
To tobacco received by George Robbins	00750
To tobacco received of John Scott	02000
To tobacco received of John Darby	00100
To tobacco received of John Eason	00383
To tobacco received of Mr Roe	00030
To tobacco received of Mr Vincent	00777
	= 44850

Liber M M 1673

Ꝑ Contra Cred^r	℔ tob
Ꝑ tob̄ paid to M^r Rousby	01600
Ꝑ tob̄ paid to Cap^t Harwood	00721
Ꝑ 8 h̄dd̄s tob̄ out of Choptancke	03200
Rest due to ballance	39329
	= 44850

And the said Stephen Tully in his proper person Saith that as to thirty nine thousand three hundred twenty nine pounds of tobacco the ballance of the accompt abovesaid he cannot gainsay but that he oweth the same unto the said Charles Calvert. Therefore it is considered of by the Court here that the said Charles Calvert recover against the Said Stephen Tully the said Sum̄e of thirty nine thousand three hundred twenty nine pounds of tobacco the deb^t aforesaid as also the summe of five hundred Sixty eight pounds of tobacco for his costs and charges in this behalfe laid Out and expended. whereupon it was com̄anded the Sheriff of S^t Maries County that he take the said Stephen Tully into safe Custody untill he satisfie unto the said Charles Calvert the said summe of thirty nine thousand three hundred twenty nine pounds of tobacco together with the said Summe of five hundred Sixty eight pounds of tobacco costs of Suite.

Mathew Paine
ag^t
James Thompson

James Thompson late of Calvert County otherwise called James Thompson of Calvert County in the Province of Maryland was Sumōned to answer unto Mathew Paine in a plea that he render unto him the summe of thirty six pounds lawfull mony of England which to him he oweth and unjustly deteineth.

And whereupon the said Mathew Paine by Kenelm Cheseldyn his Attorny Saith that whereas the said James Thompson the twentith day of September in the two and twentith yeare of the Reigne of Our Soveraigne Lord Charles the Second King of England Scotland &c Annoq̧ Dom̄ One thousand six hundred and Seventy by his certaine writeing Obligatory Sealed with the seale of the said James here in Court produced whose date is the same day and yeare abovewritten did acknowledge himselfe holden and firmly bound unto Mathew Paine of the parish of Stepney in the County of Middlesex in the Kingdome of England Marriner in the Sum̄e of thirty Six p. 445 pounds lawfull mony of England to be paid to the said Mathew Paine or his certaine Attorny executors and administrators to the payment well and truly to be made he did Oblige himselfe his heirs executors and administrators to the which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those presents Liber M M

And the said James by George Thompson his Attorny cometh and defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also heareing of the Condition of the said writeing Obligatory and it is read unto him in these words following The Condition of this Obligation is Such That if the abovebounden James Thompson his executors administrators and assignes shall and doe well and truly deliver or cause to be delivered unto the abovenamed Mathew Paine or to his certaine Attorny his executors administrators or assignes the full quantity of foure thousand eight hundred pounds of good bright large Sound and merchantable tobacco with Sufficient casque to containe the same within twenty dayes next after the first and next arrivall of the good shipp called the Joseph and Benjamin of London whereof the said Mathew Paine is Master in or at Maryland abovesaid whereunto the said Shipp is now bound being for and in Satisfaction of the intended transportation of him the said James Thompson his wife and Sister to Maryland aforesaid this present intended voyage of the said Shipp and not otherwise then the said Obligation to be void and of none effect otherwise to Stand remaine and abide in full power force and Virtue the tobacco aforesaid to be paid at Some convenient place in Petuxent River

And the said James Thompson by his Attorny aforesaid cometh and prayeth liberty of Speakeing hereunto untill the next Court and it is granted unto him the same day is given unto both parties.

Now here at this day to wit the tenth day of ffebruary in the three and fortith yeare of the Dominion of Caecilius &c came the said James Thompson in his proper person and the said Mathew Paine likewise and the said James Thompson Saith That as to three thousand two hundred pounds of tobacco part of the abovesaid summe of foure thousand eight hundred pounds of tobacco he cannot gainsay but that he oweth the same to the said Mathew Paine Thereupon the said Mathew remaineth against the said James thereof undefended therefore it is considered by the Court here that the said Mathew Paine recover against the said James Thompson the said sum̄e of three thousand two hundred pounds of tobacco the debt aforesaid as also the sum̄e of five hundred ninty two pounds of tobacco for his costs and charges in this behalfe expended and laid Out and the said James Thompson in mercy

Thomas Doxey
ag^{t}
George Marshall adm^{rs}
Joseph Brough

George Marshall Administrator of all and Singular the goods Chattells and Creditts of Joseph Brough deceased was Sumōned to answer unto Thomas Doxey of a plea that he render unto him the summe of foure

Liber M M

thousand pounds of good Sound merchantable tobacco and caske and foure thousand Single tenn penny nailes and foure thousand five hundred six penny nailes which from him he unjustly deteineth

And whereupon the said Thomas Doxey by Robert Ridgely his Attorny Saith that whereas the said Joseph Brough in his life time p. 446 to wit the thirtenth day of September in the two and fortith yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ One thousand Six hundred Seventy three by his certaine writeing Obligatory Sealed with the seale of him the said Joseph and here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to be holden and firmly bound unto the said Thomas in the full and just Summe of foure thousand pounds of good Sound merchantable tobacco and caske to be paid to the said Thomas or to his certaine Attorny his execut^{rs} adm^{rs} or assignes three thousand in the yeare One thousand Six hundred Seventy three and One thousand in the yeare One thousand Six hundred Seventy foure with conveniency in S^{t} Michaels hundred in S^{t} Maries County upon demand together with foure thousand Single ten penny nailes and foure thousand five hundred Six penny nailes as soon as the said Joseph should conveniently Gett them to the which payment well and truly to be made and done the sd Joseph did bind himselfe his heirs executors administrators and assignes firmly by those presents Notwithstanding which the said Joseph Brough in his life time nor the said George to whom administration of all and Singular the Goods chattells and Creditts of the said Joseph since his death was com̄it[ted] Since the death of the said Joseph the said summe of foure thousand pounds of tobacco and the said foure thousand single ten penny nailes and the said foure thousand five hundred Six penny nailes according to the tenor of the said writeing Obligatory to him the said Thomas hath not paid though often thereunto required but the same to pay hitherto hath denyed and Still doth altogether deny to the damage of the said Thomas of Six thousand pounds of tobacco and thereupon he bringeth his suite

And the aforesaid George Marshall by Kenelm Cheseldyn his Attorney cometh and defendeth the force and injury when &c and the said George prayeth liberty of Speakeing hereunto untill the first day of the next Court and the Same day is granted unto both parties.

Now here at this day to wit the tenth day of ffebruary in the three and fortith yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1674 came the said George Marshall by Kenelm Cheseldyn his Attorny and defendeth the force and injury when &c and Saith that the said Joseph in his life time did pay the said foure thousand pounds of tobacco and foure thousand of Single ten penny nailes and foure thousand five hundred Six penny nailes according to the tenor of his writeing Obligatory to the said Joseph Brough whereupon he prayes judgment whether the said Thomas his action ought to have or not. Liber M M

And the said Thomas Saith that the said Joseph in his life time did not pay unto the said Thomas the said summe of foure thousand pounds of tobacco and foure thousand of tenn penny nailes and foure thousand five hundred six penny nailes according to the tenor of the said writeing Obligatory as the said George above hath alleadged and this he prayeth may be enquired of by the Country and the said William also Therefore it is comānded the Sheriff of S^t^ Maries County that he cause to come here twelve &c

Att which said tenth day of ffebruary in the yeare aforesaid came the said Thomas Doxey and the said George Marshall and the jurors of that jury likewise came to wit Roger Baker John Burrage John Garnish Justinian Gerard, Samuel Dobson William Watts John Gittings Thomas Bowdle William Worgan James Veitch Cornelius Watkinson and Robert Large who being impannelled sumōned and Sworne to say the truth in the premisses upon their Oathes doe Say Wee find that the defendant stands ingaged as by the said bill is expressed and that he hath paid thereof One thousand two hundred twenty eight pounds of tobacco in part of his said engagement. Therefore it is considered by the Court here that the said Thomas Doxey recover against the said George of the Goods and chattells of the said Joseph Brough the summe of two thousand seven hundred seventy two pounds of tobacco foure thousand Single ten penny nailes foure thousand five hundred Six penny nailes the remainder of the debt in the declaration mentioned as also the summe of One thousand fifty Six pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said George in mercy. p. 447

George Marshall adm^r^
Joseph Brough
ag^t^
Thomas Doxey

Thomas Doxey late of S^t^ Maries County Planter was Summoned to answer unto George Marshall Administrator of the Goods and Chattells of Joseph Brough deceased in a plea that he render unto him foure thousand pounds of tobacco which from him he unjustly deteineth

And whereupon the said George by Kenelm Cheseldyn his Attorny Saith that whereas the said Thomas Doxey the tenth day of June in the yeare One thousand six hundred Seventy foure by his certaine writeing Obligatory Sealed with the seale of the said Thomas Doxey here in Court produced whose date is the same day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto Joseph Brough of the County and Province aforesaid in the full and just Summe of foure thousand pounds of good sound merchantable tobacco in casque to be paid to the said Joseph Brough or to his certaine Attorny his executors adm^rs^ or assignes upon demand

Liber M M to the which payment well and truly to be made and done he did bind himselfe his heirs executors and administrators and assignes firmly by those presents. Notwithstanding which the said Thomas Doxey the said summe of foure thousand pounds of tobacco according to his said writeing Obligatory though often thereunto required hath not paid to the said Joseph in his life time nor to the said George Marshall since his death to whom administration of all and singular the Goods and Chattells which were the said Joseph at the time of his death since his death hath been committed hath not paid though often required but the same to pay hitherto hath and still doth deny to the damage of the said George the summe of Six thousand pounds of tobacco and thereupon he bringeth his suite.

And the said George bringeth here into Court the Letters of Administration to him granted of all and singular the Goods and Chattells which were the said Josephs at the time of his death that it may appeare to the Court here that he is administrator of the said Joseph and thereupon to have Administration.

And the aforesaid Thomas Doxey by Robert Ridgely his Attorny p. 448 cometh and defendeth the force and injury when &c and the said Thomas Saith that the writeing Obligatory above mentioned is not his Deed and this he is ready to averre whereupon he demands judgment if the said George his accōn aforesaid against him Ought to have.

And the Said George Marshall Saith that he the said George Ought not to be debarred from haveing his action aforesaid because he saith that the said writeing Obligatory in the declaration abovemencōnd is the act and deed of the said Joseph and this prayeth may be enquired of by the Country and the said Thomas likewise.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ thousand six hundred Seventy foure came the said George Marshall by his Attorny aforesaid and Offered himselfe against the said Thomas in the plea. aforesaid and the said Thomas by his Attorny came likewise and the Said Thomas Saith Nothing in barre or avoidance of the action aforesaid of him the said George whereupon the said George remaineth against the said Thomas thereupon undefended therefore it is considered of by the Court here that the said George recover against the said Thomas the debt aforesaid as also the summe of five hundred eighty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Thomas in mercy.

I Thomas Doxey of St Maries County planter doe hereby authorize impower and appoint Robert Ridgely One of the Attornyes of the Provinciall Court to appear for me at the suite of George Marshall admr of Joseph Brough deceased in an action of debt for foure thousand pounds of tobacco and to plead such plea as to him shall

seeme meet or otherwise to doe therein according to his discretion Liber M M
and for his proceedings therein this shall be his warrant Witnes my hand and seale the second of October One thousand six hundred Seventy foure.

Witnes
G Vsweringen
Thomas Houghton

the marke of
Thomas Λ Doxey (Sealed)

To Robert Ridgely one of
the Attornyes of the
Provinciall Court.

John Quigley
agt
Mathew Stone

Mathew Stone late of Charles County otherwise called Mathew Stone of Charles County in the Province of Maryland Gent was Summoned to answer unto John Quigley Merchant of a plea that he render unto him Sixteen hundred pounds of tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said John by Robert Carvile his Attorny complaineth That whereas the said Mathew upon the thirtenth day of June One thousand six hundred Seventy three by his certaine bill or writeing Obligatory Sealed with the Seale of him the said Mathew and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to owe and stand indebted to the said John Quigley in the summe of Sixteene p. 449
hundred pounds of good Sound merchantable tobacco and caske to be paid to the Said John upon the tenth day of October next ensueing the date of the said bill at Some convenient landing in Charles County Notwithstanding which the said Mathew the said summe of Sixteen hundred pounds of tobacco to him the said John though often thereunto requested according to the tenor of the said bill hath not hitherto paid or satisfied but the same to pay doth deny and refuse to the damage of the said John two thousand pounds of tobacco and thereupon he bringeth his Suite.

And the said Mathew by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto until the next Provinciall Court the same day is given to both partyes.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said John Quigley by his Attorny aforesaid and the said Mathew Stone by his Attorny came likewise and the said Mathew Saith nothing in barr or avoidance of the action aforesaid of him the said John Quigley whereupon the said John remaineth against the said Mathew thereof undefended therefore it is Considered by the Court here that the said John Quigley recover against the said Mathew Stone the said summe of Sixteen hundred pounds of tobacco the debt aforesaid as also the summe

Liber M M of pounds of tobacco for his costs and charges in this behalfe laid Out and expended but So as execution thereof cease untill the expiracōn of One month next ensueing the tenth day of ffebruary aforesaid

Daniel Jenifer agt John Manning } John Manning late of the Clifts in Calvert County planter Sonn and heire of Thomas Manning lately called Thomas Manning of the County of Calvert in the Province of Maryland was Sumoned to answer unto Daniel Jenifer Gent of a plea that he render unto him nine hundred thirty and two pounds of tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said Daniel by Robert Carvile his Attorny Saith that whereas the aforesaid Thomas Manning in his life time to wit upon the two and twentith day of December in the eight and thirtith yeare of the Dominion of Caecilius &c Annoqꝫ Dom̃ One thousand Six hundred Sixty nine by his certaine bill or writeing Obligatory Sealed with the seale of him the said Thomas and here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to Owe and be endebted to the said Daniel in the full and just Summe or quantity of nine hundred thirty two pounds of good Sound merchantable tobacco and caske to be paid to the Said Daniel Jenifer upon demand To the which payment well and truly to be made he did bind himselfe his heirs executors and admrs by those presents And whereas the aforesaid Thomas Manning was in his life time Seized in his demesne as of ffee of Severall messuages Lands Tenements and Hereditaments with their appurtenñcs scituate lyeing and being in the said County of Calvert that is to say of One parcell of Land with the appurtenñcs in the said County called Manning the Push containeing Six hundred Acres, p. 450 and of and in One other parcell of land with the appurtenñcs in the County aforesaid called the Gore containeing three hundred acres And being So thereof Seized dyed after whose death the said Lands tenements and hereditaments with the appurtenñcs amongst other things did discend to the said John Manning as Son an heire of the said Thomas Yet the aforesaid John Manning in his life time and the aforesaid John after the death of the said Thomas although often required the aforesaid nine hundred thirty two pounds of tobacco to him the said Daniel hath not rendred but the same to him to render have denyed and the said John the same to him to render doth still deny whereupon he saith that he is dampnified and hath losse to the Value of fifteene hundred pounds of tobacco and thereupon he bringeth his suite.

And the said John Manning by Richard Smith his Guardian who is admitted by the Court to prosecute for the said John within age the said John by Kenelm Cheseldyn his Attorny doth come and defend the force and injury when &c and the said John Saith that he is not twenty One yeares of age and that it is not intended by the Law that dureing his nonage aforesaid to the aforesaid Daniel he Ought to answer of the debt aforesaid whereupon he demands judgment if action &c.

And the said Daniel by his Attorny aforesaid Saith that he Ought not to be barred from haveing his action aforesaid, the said Daniel Saith the said John now is and at the time of putting in his plea aforesaid was at the full age of twenty One yeares and this he prayes may be enquired of by the Country and the said John likewise.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Came the said Daniel by his Attorny aforesaid and the said John by his Attorny came likewise and the said John Saith nothing in barr or avoidance of the action aforesaid of him the said Daniel whereupon the said Daniel remaineth against the said John thereof undefended Therefore it is considered of by the Court here that the said Daniel recover against the said John Manning the said summe of nine hundred thirty two pounds of tobacco the debt aforesaid as also the summe of eight hundred twenty five pounds of tobacco for his cost and charges in this behalfe laid Out and expended and the said John in mercy.

Jeremiah Eaton agt Thomas Philipps — Thomas Philipps late of Talbott County otherwise called Thomas Phillipps of the Province of Maryland planter was sumōned to answer unto Jeremiah Eaton of the County of Kent Gent in a plea that he render unto him ten thousand pipe staves every of the said Staves to be foure foot eight inches long and three quarters of an inch thicke which to him he oweth and unjustly deteineth.

And whereupon the said Jeremiah by Vincent Lowe his Attorny Saith that whereas the said Thomas the eightenth day of January One thousand Six hundred seventy One by his certaine writeing Obligatory Sealed with the seale of him the said Thomas here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executrs admrs assignes to pay unto him the said Jeremiah his certaine Attorny his heirs executors admrs & assignes the aforesaid quantity of ten thousand pipe Staves to be foure foot eight inches long and three quarters of an inch thicke p. 451 to be paid unto him the said Jeremiah at or before the tenth day of October next ensueing the date thereof at the now dwelling place of him the said Thomas Philippes Yet notwithstanding the aforesaid summe of pipe Staves the said Thomas to the Said Jeremiah hath not paid according to the tenor of the said bill but the Same to pay doth deny and refuse whereupon the said Jeremiah Saith he is dampnified and hath losse to the Value of Seven thousand pounds of tobacco and thereupon he brings his suite.

The Sheriff of Talbott County being in misercordia haveing returned that he hath taken the body of the defendant whom &c and the same Sheriff being called to bring forth the body of the said Thomas Philipps to answer the said Jeremiah in the plea aforesaid delivered in open Court here to wit the tenth day of ffebruary in the three and fourth yeare of the Dominion of Caecilius &c his Baile bond whereupon the same Sheriff was acquitted

And the said Thomas Philipps by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and saith nothing in barr or avoidance of the action aforesaid of him the said Jeremiah whereupon the said Jeremiah remaineth against the said Thomas thereof wholly undefended Therefore it is considered by the Court here that the said Jeremiah Eaton recover against the said Thomas Philipps the said summe of tenn thousand pipe Staves foure foot eight inches long and three quarters of an inch thicke as also the sum̃e of five hundred fifty Six pounds of tobacco costs of Suite and the said Thomas in mercy.

John Clemens agt James Clayland } James Clayland late of Talbott County Gent otherwise called James Clayland of Talbott County in the Province of Maryland Clerke was Summoned to answer John Clemens merchant in a plea that he render unto him twenty eight hundred weight of good sound merchantable porke and beefe which to him he oweth and unjustly deteineth.

And whereupon the said John by John Rousby his Attorny Saith that whereas the said James the fourtenth day of ffebruary in the yeare of our Lord One thousand six hundred seventy two by his certaine bill obligatory Sealed with the seale of the said James here in Court brought whose date is the same day and yeare did acknowledge himselfe to owe to the aforesaid John Clemens the said full and just quantity of twenty eight hundred weight of good sound merchantable porke and beefe to be paid at the said John Clements dwelling house in Myles River or Tredhaven the last of November One thousand six hundred Seventy three and to the performance of the same the said James there by bound himselfe his heirs executrs admrs notwithstanding the aforesaid James though often demanded the aforesaid twenty eight hundred weight of beefe and porke to the said John Clemens hath not paid but the same to the said John to pay hitherto hath denyed and yet doe deny, and refuse whereupon he saith he is dampnified and hath losse to the value of five thousand pounds tobacco & thereupon he bringeth his suite.

And the said James Clayland by Mathew Warde his Attorny cometh and defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill next Court and it is granted him the same day is given to both parties here. Liber M M

At which day to witt the tenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion Came the said John Clements by his Attorny aforesaid but the said James Clayland came not but made default therefore it is considered of by the Court here that the said John Clemens recover against the said James the said summe of twenty Eight hundred pounds of porke and beefe the debt aforesaid as also the summe of Six hundred and three pounds of tobacco for his costs and charges in this behalfe laid Out. p. 452

Ralph Dawson
agt
James Clayland

James Clayland late of the County of Talbott otherwise called James Clayland of the Province of Maryland Clerke was Sumoned to answer Ralph Dawson of a plea that he render unto him three thousand foure hundred pounds of tobacco in casque which he oweth him & unjustly deteineth.

Whereupon the said Ralph by Vincent Lowe his Attorny complaineth and Saith that whereas the said James Clayland On the Sevententh day of March One thousand Six hundred Seventy two by his certaine writeing or bill Obligatory Sealed with the Seale of him the said James here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to be justly and truly indebted to him the said Ralfe Dawson his heirs executors admrs the full and just sum̄e of three thousand foure hundred pounds of tobacco in casque to be paid unto him the said Ralph Dawson upon the dwelling plantation of him the Said James in Miles River or a Servant man upon his demand upon the tenth day of December next ensueing Upon the true payment thereof the said James did bind himselfe his heirs and admrs Yet the aforesaid summe of three thousand foure hundred pounds of tobacco the said James to him the said Ralph nor a man Servant according to the tenor of his said bill hath not paid to him the said Ralph but doth altogether deny and refuse to pay the same whereupon the said Ralph Saith he is dampnified and hath losse to the value of five thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said James by Mathew Warde his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court and it is granted him the same day is given to both parties here.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Ralph Dawson by his Attorny aforesaid and offered himselfe against the said James Cleyland in the action aforesaid but the said James came not but made default Therefore it is considered of by the Court here

Liber M M that the said Ralph Dawson recover against the said James Clayland aswell the summe of three thousand foure hundred pounds of tobacco the debt aforesaid as also the sum̄e of five hundred fifty Six pounds of tobacco costs of Suite

Proprietary
ag^{t} discontinued
Luke Barbier

Thomas Carleton
ag^{t} this action abates the plaintiff being dead.
John Hall & al̄

Robert Carvile
ag^{t} agreed.
ffrancis Kilborne

p. 453 John Waterton
ag^{t}
John Desjardens

John Desjardens late of Baltemore County otherwise called John Desjardens of the County of Baltemore in the Province of Maryland Gent was Sumōned to answer unto John Waterton in a plea that he render unto him the summe of twenty two pounds lawfull mony of England which to him he oweth and unjustly deteineth.

And whereupon the said John Waterton by Kenelm Cheseldyn his Attorny Saith that whereas the said John Desjardens the sixtenth day of June in the yeare of Our Lord One thousand six hundred seventy three did by his certaine writeing Obligatory Sealed with the seale of the said John Desjardins here in Court produced whose date is the same day and yeare abovewritten hold himselfe firmly bound and indebted to the said John Waterton in the full and just sum̄e of two and twenty pounds of good and lawfull mony of England to be paid unto the said John Waterton or to his certaine Attorny execut^{rs} adm^{rs} or assignes at or upon all demands after the date of those presents to which payment well & truly to be paid and performed he did bind himselfe his heirs executors adm^{rs} and assignes firmly by those presents Notwithstanding which the Said John Desjardens the said summe of twenty two pounds lawfull mony of England according to the tenor of his said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath denyed and yet doth deny to the damage of the said John Waterton the summe of eight thousand pounds of tobacco And thereupon he bringeth his suite.

And the said John Desjardens by Robert Carvile his Attorny doth come and defend the force and injury when &c and prays heareing of the writeing aforesaid and it is read unto him he prayeth also heareing of the Condition of the said writeing and it is read unto him in these words Vizt. The Condition of this Obligation is such That if the abovebounden John Desjardens his heirs executors Liber M M adm^{rs} assignes doe well and truly pay and deliver unto the abovenamed John Waterton his heirs executors administrators or assignes or to his certaine Attorny One sufficient and able man servant to serve the said Waterton his execut^{rs} or assignes foure yeares at least and also pay or cause to be paid to the said Waterton his executors or assignes the full and just sum̄e of eight hundred pounds of good sound merchantable tobacco in caske at or before the first day of December next comeing after the date abovewritten or else pay or cause to be paid unto the said John Waterton his certaine Attorny executors or assignes the full and just Summe of eleven pounds of goods & lawfull mony of England at the price currant there at or before the first day of December aforesaid Then this present Obligation to be Void and of none effect or else to remaine & be in full power force and Virtue. Which being read and heard the said John Desjardens prayeth liberty of Speakeing hereunto untill next Court and it is granted him the same day is given to both parties here

Att which day to wit the tenth day of ffebruary in the 43th yeare p. 454 of the Dominion of Caecilius &c Came the said John Waterton by his Attorny aforesaid and offered himselfe against the said John Desjardens in the action aforesaid but the said John Desjardens came not but made default Therefore it is considered of by the Court here that the said John Waterton recover against the said John Desjardens the said summe of eleven pounds of good and lawfull mony of England or One Sufficient and able man servant to serve foure yeares at least and eight hundred pounds of good sound merchantable tobacco and caske as also the summe of pounds of tobacco for his costs of Suite

Daniel Jenifer
ag^{t}
Jonathan Squire
adm^{r} Jn^{o} Morecroft
Continued Ᵽ çonsent.

Edward Armstrong
ag^{t}
John Anderson
the Sheriff of Somerset County reamerced.

John Moll
ag^{t}
Henry Brayne
George Robbins
ag^{t}
Henry Brayne
these two causes continued by Consent of the Attornyes on both sides till next Court.

Liber M M

Jonathan Squire admr Jno Morecroft agt Tobias Wells executr Mary Pine	agreed.

John Blomfeild agt Benja Hunton	agreed.

Garret Vansweringen agt Thomas Lomax } Thomas Lomax late of the County of St Maries otherwise called Thomas Lomax of the County of St Maries in the Province of Maryland was Sumōned to answer unto Garret Vansweringen in a plea that he render unto him the summe of One thousand and Sixty pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the said Garret Vansweringen by Kenelm Cheseldyn his Attorny Saith that whereas the said Thomas Lomax the foure and twentith day of October One thousand six hundred seventy One did by his certaine writeing Obligatory Sealed with the Seale of the Said Thomas here in Court produced whose date is the day and yeare abovewritten acknowledge himselfe holden and firmly bounden unto Garret Vansweringen of the County of St Maries in the Province aforesaid in the full quantity of One thousand and Sixty pounds of good Sound merchantable tobacco and caske to be paid to the said Garret Vansweringen or to his certaine Attorny his p. 455 heirs executrs admrs or assignes convenient in the County aforesaid upon all demands to which payment well & truly to be made he did bind himselfe his heirs executors administrators firmly by those prsents Notwithstanding which the said Thomas Lomax the said Summe of One thousand and sixty pounds of tobacco according to the tenor of his Said bill though often thereunto required hath not paid but the same to pay hitherto hath and still doth altogether deny to the damage of the said Garrett two thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Thomas by Robert Carvile his Attorny cometh & defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court of the same day is given both parties.

Now here at this day to wit the tenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Garrett by his Attorny aforesaid but the said Thomas came not but made default Therefore it is considered by the Court here that the Said Garret recover against the Said Thomas the said summe of One thousand &

Sixty pounds of tobacco the debt aforesaid as also the Summe of five hundred fifty two pounds of tobacco costs of Suite. Liber M M

John Gilbert
ag^{t}
John Ingram

John Ingram late of Kent County was attached to answer unto John Gilbert of a plea wherefore by force & armes On him the said John Gilbert in Kent County an assault did make and him did beate wound & evil entreate & Other harmes to him did to the great damage of him the Said John Gilbert and against the Peace of the Lord Proprietary.

And whereupon the Said John Gilbert by Kenelm Cheseldyn his Attorny complaineth that the aforesaid John Ingram the third day of July in the three & fortith yeare of the Dominion of Caecilius &c Annoꝗ Dom̃ One thousand six hundred Seventy foure by force and armes that is to say with Swords Staves and Knives On him the said John Ingram in Kent County made an assault and him did beate wound & evil entreate and other harmes to him then & there did to the damage of the Said John Gilbert & against the Peace & whereupon the said John Gilbert Saith he is dampnified and hath damage to the Value of five thousand pounds of tob̃ & thereupon he bringeth his suite.

And the said John Ingram by Mathew Warde his Attorny cometh and defendeth the force and injury when &c and prayeth liberty to imparle here untill next Provinciall Court and it is granted him the same day is given to both parties. Now here at this day to wit the tenth day of ffebruary in the forty third yeare of the Dominion of Caecilius &c came the said John Ingram and Offered himselfe against the said John Gilbert but the said John Gilbert came not to prosecute the suite aforesaid whereupon a non suite was awarded against him by the Court here & that he pay to the said John Ingram the summe of Seven hundred eighty eight pounds of tobacco costs of Suite & the said Jn° Gilbert in mercy.—for his false Clamor &c.

Thomas Gibson
ag^{t}
Arthur Turner

Arthur Turner late of Charles County in the Province aforesaid was att[ached] to answer unto Thomas Gibson of a plea wherefore by force and armes into One Messuage One tobacco house and One hundred acres of Land with the appurtenñcs lyeing On the west side of Wiccocomoco River at a mouth of a Branch of the said River called Russells branch in Charles County in the said Province which William Russell of the said County planter to him the said Thomas Gibson did demise for a terme which is not yet past he did enter and him from his far[me] aforesaid did eject and other harmes to him he did to the great damage of him the said Thomas Gibson contrary to the peace &c p. 456

Liber M M And whereupon the said the said Thomas Gibson by Thomas Innes his Attorny Saith that whereas the aforesaid William Russell the ninth day of March in the yeare of Our Lord One thousand Six hundred seventy three did demise to him the said Thomas Gibson the Messuage and lands aforesaid with the appurtenñ[ces] To have and to hold to him and his Assignes from the said ninth day of March in the yeare aforesaid untill the end & terme of One whole yeare from thence next following and fully to be compleate & ended By Virtue of which demise the aforesaid Thomas Gibson into the Messuage and lands aforesaid with the appurtenñcs did enter and was thereof possessed and he the said Thomas Gibson thereof being so possessed the aforesaid Arthur Turner afterwards to wit the Sixtenth day of March aforesaid by force and armes the Messuage and land aforesaid with the appurtenñcs which the aforesaid William Russell to him the said Thomas Gibson in forme aforesaid demised for the terme aforesaid which is not yet past did enter and him from his farme aforesaid did eject and other harmes to him did to the great damage of him the said Thomas Gibson and against the Peace &c whereupon he Saith he is dampnified and hath losse to the value of Sixteen thousand pounds of tobacco And thereupon he bringeth his Suite.

> Unles the tenant in possession or they under whom he claimeth doe the next Provincial Court appeare to this declaration and make him and themselves def^{t}. thereunto and by rule of Court confesse the lease entry and ejectment and insist only upon the title the def^{t} in this declaration will confesse judgment and possession will be delivered accordingly to the plaintiff
>
> To John Lovett Tenant in possession of the premisses within mentioned.

And the aforesaid Arthur Turner by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and the said Arthur prayeth liberty of Speakeing thereunto untill the first day of the next Provinciall Court and the same day is given to both parties.

At which day that is to say the two and twentith day of April
in the 42th yeare of the Dominion of Caecilius &c came aswell the
aforesaid Thomas Gibson by Robert Carvile his Attorny as the
aforesd Arthur Turner by the Said Kenelm Cheseldyn his Attorny
and in the said cause by the Court here it was the same day Ordered
by the consent of Robert Carvile Attorny for the plaintiff and
Kenelm Cheseldyn Attorny for James Neale late of Charles County
Gent and Ann his wife that the said James and Ann his wife should
be admitted def^{ts} who shall forthwith appeare by their Attorny afore-
p. 457 said and Shall receive a declaration and plead to it the General issue
as of this Court and at the tryall to be thereupon had they shall
appeare in their proper persons or by their Council or Attorny and
shall confesse lease entry and ejectment or that in default thereof

judgment shall be entred against the said def^{t} Arthur Turner the casuall ejector But all further prosecution against him shall cease untill the said James and his wife shall make default in any of the premisses And it is further Ordered by the Court by the consent aforesaid that the Said James and his wife shall not take any advantage against the plaintiff for not prosecuteing upon the tryall occasioned by Such default but that the Said James Neale shall pay to the plaintiff the Costs by this Court to be taxed in this cause And it is further Ordered that the Lessor to the plaintiff shall be charged with the payment of the costs to the def^{ts} if any be by this Court adjudged to them.

Maryland ss.

James Neale late of Charles County Gent and Anna his wife were attached to answer unto Thomas Gibson of a plea wherefore by force and armes into One Messuage One tobacco house and One hundred acres of Land with the appurtenñcs lyeing on the west side of Wicocomoco River at a mouth of a branch of the said River called Russells branch in Charles County in the said Province which William Russell in the Said County planter to him the said Thomas Gibson did demise for a terme which is not yet past they did enter and him from his farme aforesaid did eject & other harmes to him they did to the great damage of him the said Thomas Gibson and against the Peace.

And whereupon the said Thomas by Robert Carvile his Attorny saith that whereas the aforesaid William Russell the ninth day of March in the yeare of Our Lord One thousand six hundred Seventy three did demise to him the Said Thomas Gibson the messuage and lands aforesaid with the appurtenñcs to haue and to hold to him and his assignes from the said ninth day of march in the yeare aforesaid untill the end and terme of One whole yeare from thence next ensueing and fully to be compleate & ended By virtue of which demise the said Thomas Gibson into the messuage & Lands with the appurtenñcs did enter & was thereof possessed and he the said Thomas Gibson So thereof being possessed the aforesaid James Neale & Anna his wife by force and armes the Messuage & lands aforesaid with the appurtenñcs which the aforesd William Russell to him the said Thomas Gibson in forme aforesaid demised for the terme aforesaid which is not yet past did enter & him from his farme aforesaid did eject & other harmes to him did to the great damage of the said Thomas Gibson & against the Peace &c whereupon he saith he is dampnified & hath losse to the Value of Sixteen thousand pounds of tobacco & thereupon he bringeth his suite

And the said James Neale by Kenelm Cheseldyn his Attorny doth come and defend the force and injury when &c and Saith he is not guilty of the trespas and ejectment aforesaid by him the said Thomas above supposed to be done and of this he putts himself upon the Country and the plaintiff likewise.

Liber M M At which day that is to Say the Sixteenth day of October in the 43th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ One thousand six hundred Seventy foure came aforesaid Thomas Gibson by his Attorny aforesaid and the said James Neale and Anna his wife by their Attorny aforesaid but because it appeared to the Court here That this action of ejectment was Com̄enced by the said Thomas Gibson as Lessee to the said William Russell against Arthur Turner casuall Ejector and James Neale & Anna his wife daughter & heire of Benjamin Gill deceased the parties concerned being by order of p. 458 Court named defts instead of the casuall Ejector to try the title to a parcell of Land and certaine houses thereon built now in the Tenure of the said James Neale and Anna his wife or John Lovett or their assignes and being now in dispute between the said William Russell and James Neale & Anna his wife And the the Court finding it necessary that the due lines & bounds of both persons lands be Surveyed by a skillful person according to the Originall Surveys & pattents thereupon granted to Christopher Russell ffather of the said William Russell and Benjamin Gill ffather of the said Anna & that a faire plott & Certificate thereof be returned to the Court It is by the Court this day Ordered That the Honble Baker Brooke Esq̧ Surveyr Genll or his Deputy Surveyr for the Said County of Charles County be especially appointed by this Court & are hereby appointed impowered & comanded to lay Out the lands of the said Wm Russell & the Land of the said James Neale & Anna his wife and to runn Out the true lines & Sett Out their meets & bounds according to their respective pattents aforesaid to the Said Christopher Russell & Benjamin Gill in the presence of the Sheriff of Charles County who is hereby Comanded and impowered to Summon & impannell a jury of twelve legall and honest men of his Bailiwick of the neighbourhood to the said lands upon the said lands and to examine wittnesses upon Oath that the truth of the matter may be fully discovered & the Surveyr Genll or his Deputy aforesaid is hereby Ordered to runn his lines according to the evidence then given and the directions of the jury & to returne a Certificate of his proceedings herein & a faire plott distinctly drawne of the said Lands in question together with the evidence that was sworne to the next Provinciall Court to be held at the Citty of St Maries the eighth day of December next attested under the hand & Seale of the said Surveyr Genll or his Deputy as aforesaid as of the said Sheriff & the jurors that so his Lopp̄s justices here being fully informed of the truth of the premisses may doe herein as to justice shall appurteine

In Obedience whereunto the Said Sheriff Benjamin Rozer Gent together with John Gooch George Credwell Richard Harrison Robert Rowlands Walter Davis Joseph Bullett John fferson Joseph Cooper John Cassock Thomas Gibson Arthur Turner & Thomas Helgair Sworne jurors to enquire into the meets and bounds of the Land in

Liber M M

question between William Russell & James Neale doe deliver their Verdict following Vizt That they have directed Richard Edelin Deputy Surveyʳ to runn the lines of the Said lands according to their meets & bounds. in their respective Certificates & pattents mentioned and doe find that the Land now in question lately in the possession of John Lovett now in the tenure or Occupation of Margarett Lovett Relict of the said John by virtue of a lease from the said James Neale together with the plantation and all the houses thereon erected to be and lye within the lines meets and bounds of the Land belonging to William Russell as by plott & Certificate by the aforesaid Surveyʳ made it doth and may more fully and at large appeare.

And also the Said Deputy Surveyʳ Richard Edelin by his Certificate beareing date November the six & twentith One thousand six hundred seventy foure and to the Honᵇˡᵉ Charles Calvert Esqꝫ Cheife justice of this Province and the rest of the justices of the Provinciall Court did Certifie By Virtue of an Order of the Provinciall beareing date the 16ᵗʰ of October One thousand six hundred seventy foure him comanding & impowering That he the said Richard Edelin Deputy Under Baker Brooke Esqꝫ. Surveyʳ Generall in Obedience to the Order have laid Out the lands in question betweene James Neale Gent & Wᵐ Russell according to their respective Certificates attested under the hand of John Blomfeild Clerke of his Lopp̄s Secretaryes Office and the direction of the jury impannelled & sworne by Benjamin Rozer Sheriff of Charles County to enquire & give directions concerning the same whose verdict is hereunto annexed which land lyeth On Wicocomoco River near the Land of the said Neale & bounding On the west of Neales marsh & bounding On the South with a Creeke called Sᵗ James's Creeke On the east with the said River On the north with a line drawne East South east to a white Oake standing by Wiccocomoco River by Newtons Cove. Likewise he hath laid Out the Land of Wᵐ Russell and by the direcōn of the jury and Certificate lyeing On the west side of Wiccocomoco River Beginning at a marked Oake Standing at the mouth of a branch called Russells branch and runing South from the said Oake to the head of the said branch for the lenght of One hundred perches to a marked Ash & bounding On the south with a line drawne West for the lenght of three hundred & fifty perches to a marked white Oake near the Land of the said Neale thence northwest Sixty foure perches thence East into the first South line. p. 459

Which said returne of the said Sheriff & jurors & of the said Deputy Surveyʳ before the said justices of the said Provinciall Court at the Citty of Sᵗ Maries the twelfth day of December in the yeare aforesaid being read & by the said justices fully understood & the partyes aforesaid appeareing by their respective Attornyes that is to say the said Wᵐ Russell by Robert Carvile his Attorny & the said James Neale & Anna his wife by Kenelm Cheseldyn their Attorny

Liber M M and the defts alleadging no notice was given them upon the resurvey of the Lands in question Ordered that the parties concerned be present & the same jury formerly returned be there & the Surveyr Genll or his Deputy for that County to resurvey the lands in question upon the third day of ffebruary next and in case of default of the jurors or any of them that the Sheriff returne tales and to returne to the next Court.

Att which said next Court to wit the ninth day of ffebruary in the yeare aforesaid came the aforesaid Wm Russell by Robert Carvile his Attorny and the said James and Anna by Kenelm Cheseldyn and the Said Sheriff of Charles County and John Gooch Thomas Gibson John fferson Arthur Turner Joseph Cooper Joseph Bullett George Grodtwal John Cassock Wm Hensy Wm Smith John Muschamp & Peter Carrey sworne jurors to enquire into the bounds and meets of the land in question betweene Wm Russell & James Neale doe deliver their Verdict as followeth That Wee have directed Richard Edelin Deputy Surveyr in the presence of the parties concerned to run the lines of the said James Neales land according to the meets and bounds of the Certificate & Patent & evidence produced and doe find the land now in question lately in the possession of John Lovett now in possession of Margaret Lovett Relict of the said John by Virtue of a lease from the said James Neale with the Plantation p. 460 and all the houses thereon Erected to be and lye within the meets and bounds & lines of the Land belonging to Wm Russell as by Plott & Certificate by the aforesaid Survey made and hereunto annexed it doth & may more fully & at large appeare In testimony to which Verdict Wee have hereunto Sett Our hands & seales this 13th day of ffebruary 1674.

And also the said Deputy Surveyr by his Certificate bearing date the said third day of ffebruary and to the Honble Charles Calvert Cheife justice of Maryland & the rest of the justices of the Provinciall Court did in most humble manner Certifie That in Obedience to an Order past December Court last hath laid Out Capt James Neales east South east line according to the direction of the jury & bounding On the west with Neales marsh & with the South with the Creeke called St James's Creeke and On the east with Wicocomoco River On the north with a line drawn East-South east to a white Oake Standing by Wicocomoco River by Newtons Cove and that the said Neales Land does not take in the Land now in question betweene the said Neale & William Russell.

Which being read and heard & by the Court here fully understood and the cause standing at full & perfect issue Therefore Comãnd was given to the Sheriff of St Maries County that he should cause to come here before the said justices On the eleventh day of this instant ffebruary twelve &c by whom &c who neither &c because aswell &c to recognize &c.

Att which said eleventh day of ffebruary in the 43th yeare of the Dominion of Caecilius &c. and in the yeare of Our Lord One thousand Six hundred Seventy foure aforesaid Came aswell the aforesaid Wm Russell by Robert Carvile his Attorny as the aforesaid James Neale and Anna his wife by Kenelm Cheseldyn their Attorny and the jurors of that jury came likewise to wit Roger Baker Thomas Bowdle John Burrace John Garnish James Veitch Justinian Gerard John Gittings Cornelius Watkinson Wm Watts Walter Hall Robert Proctor & Robert Large who being impannelled sumōned & sworne to say the tenth of & in the premisses upon their Oathes doe say That they find for Capt James Neale defendant. Liber M M

Which being seene by the Court here and the premisses diligently looked into and thereof mature deliberation being had because it Seemeth to the Court here by the Evidence of the ancient Inhabitants of the visuage of the said Land in the declaration aforespecified & here at the barre upon their Oathes Vive Voce given and also by the Verdict of the jury aforesaid here at the barr delivered up The said justices due Grant that the said James Neale and Anna his wife of the trespas and Ejectment of him the said Wm Russell of the premisses aforesaid with the appurtennñcs in the declaration aforesaid Specified goe thereof acquitt because it appeareth to the Court here that the said Land in the declaration aforesaid Specified in which the trespas and ejectment aforesaid is Supposed to be Committed is the proper land of the said Anna Neale wife of the said James Neale & that the same Land the said Anna holdeth of the Lord Proprietary by Virtue of his Lo̅pps Letter Pattent for the same by the name of Gills Land to her granted, and the said justices doe further grant that the said James Neale & Anna his wife doe recover against the said William Russell the summe of foure thousand six hundred Sixty p. 461 eight pounds of tobacco for their costs & charges in this behalfe expended & laid Out and that the said William take nothing by his plaint aforesaid but that he for his false clamor be taken and that the aforesaid James Neale & Anna his wife be thereof without damage Therefore Co̅mand is given to the Said Sheriff of Charles County that he take the said Wm Russell if he shall be found in his Bailiwicke & him safe Keepe so that he have his body before his Lo̅pps justices here the twentith day of April next to satisfie unto the said James Neale & Anna his wife the said summe of foure thousand six hundred sixty eight pounds of tobacco which to them the said James and Anna in the said Provinciall Court held at the Citty of St Maries the eleventh day of ffebruary in the yeare aforesaid before the said justices in the said Court were adjudged for them costs of suite which they susteined by Occasion of the trespas & ejectment to them the said James and Anna by the aforesaid Wm Russell by force & armes & against the Peace &c in the same Court brought whereof he is convict.

Liber M M Know all men by these presents That I Richard Pery of Maryland in parts beyond the Seas merchant have assigned Ordained & made in my stead & place by those presents put & constituted my good frend John Gould of London merchant my true & lawfull Substitute & Attorny for me & in my name & to my Owne proper use & behoofe to aske demand levy sue for recover & receive of all & every or any pson or persons whatsoever all such summe or summes of mony goods merchandizes debts dues & demands whatsoever as are or shall be from them or any of them due to me, oweing payable or belonging upon any accompt or by any wayes or meanes whatsoever & to prosecute mainteine & defend any suite or suits in Law or equity to be brought prosecuted or com̃enced for me or against me and to intermeddle with transact and manage all other my affaires and businesses whatsoever giveing and by these presents granting unto my said Substitute & Attorny my full power interest & authority to and in the p^{r}misses therein to doe say sue persue arrest attach implead imprison & condemne & out of prison to deliver & to receive compound and agree & thereupon acquittances or other discharges for me and in my name to make seale & deliver One Attorny or more under him to substitute & appoint & the same at his pleasure to revoke and Generally to doe execute & performe & every Such further and other lawfull & reasonable acts & things which shall be meet & requisite to be done to & in the premisses in as large ample & effectuall manner and forme to all intents & purposes as I my selfe might or could doe were I then & there present & did the same personally Ratifieing and by these p^{r}sents confirming all & whatsoever my said Attorny shall lawfully doe or cause to be done for recovery and receipt of the premisses by these presents In wittnes whereof I have hereunto sett my hand & seale dated the twelfth day of November 1674 Annoqꝫ Regni Dom^{r} nri^{r} Car Sec^{d} Ang^{l} &c Rex Vicessim Sext.
Sealed & delivered in the presence of Ri: Pery (Sealed.)
Robert Gowlan
James Haslewall
John Webb
W^{m} Somerland.

p. 462 ffirst of April 1675
The above letter of Attorny was proved by Robert Gowlan and W^{m} Somerland Wittnesses to the same before me the day and yeare abovewritten Charles Calvert.

Know all men by these p^{r}sents That I Richard Wharton of New England Merch^{t} have & due hereby constitute authorize & Ordaine Hilyard Vering of Salem in New England aforesaid merchant now bound to Virginia & Maryland my true and lawfull Attorny in my name & for my use to demand & to use all lawfull wayes and meanes to recover & receive any summe or summes of mony tobacco or other estate or effects anywayes due or payable to me by or from any person or estate in Virginia or Maryland aforesaid Giveing & hereby granting unto my said Attorny all my power & authority to sue implead attach arrest imprison & extend upon as need shall require the persons or estates of any that shall upon any colour or pretence whatsoever deteine from me or make denyall of payment to my said Attorny of Such Summes of mony tobacco or any other estate and againe upon the composition or satisfaction received Such persons or estates to release and discharge And finally I doe Authorize and impower my Said Attorny to doe performe & execute every lawfull Act & thing with reference unto or prosecution of the p^{r}misses that I my Selfe might I personally present hereby ratifieing allowing & confirming all that my Said Attorny or any by him deputed or substituted shall Legally doe or cause to be done Wittnes my hand & seale this twenty[eth] day of November 1664 Annoꝗ Regni Caroli Vicessimo Sext. Liber M M

Sealed & delivered
in p^{r}sence of
Samuel Hall
Ben: Ganson
Ephraim Very
his marke.

Ri. Wharton (Seale)

On the backside of the abovesaid Letter of Attorny is written thus.

March 22th 1674.

The within written Letter of Attorny was by the within named Richard Wharton in the presence of Benjamin Ganson and Ephraim Very witnesses thereunto signed Sealed and delivered as his Act & deed as by the Oathes of the wittnesses taken before me the day and yeare abovesaid Witt Calvert.

ffebruary 12th 1674.

Upon the Petition of John Grammar of Calvert County that whereas there was two judgments obtained out of this Court against him One at the suite of Samuel Winslow for three thousand pounds of tobacco & the other at suite of Richard Gibbs for the summe with costs of suite and thereupon execution issued to the Sheriff of the County aforesaid thereby commanding him to take the Petitioners body and him to have here the ninth day of this instant ffebruary and the Petitioner being now removed into the Custody of the Sheriff of S^{t} Maries County untill he hath rendred satisfaction for the said executions and the prison of S^{t} Maries County lyeing remote from your petitioners affaires and habitation and being compelled for his release to sell his estate prayeth Order that he may be removed againe into the Custody of the said Sheriff of Calvert County he being there neere his businesse and that he may thereby Sell his goods to the best advantage

Liber M M Whereupon it is Ordered by the Court here that the said John Gram̃er be delivered into the Custody of the Said Sheriff of Calvert County untill he satisfie the executions aforesaid:

p. 463 The Humble Petition of Wm Claw and John Smalpeece of St Maries County executors of the last will & Testament of John Reynolds late of the aforesaid County deceased named.

Humbly Sheweth

That whereas ye Petitioners have before this Petitioned this Court about the reall estate of the Said deceased and referred to the consideracōn of the Attorny Genll whereof they have had no answer and the petitionrs being sum̃oned to appeare before the judge in causes testmentary to render an accompt of the estate of the deceased, Humbly prayes this Court to settle the reall estate of the said deceased that they may render an accompt of their execution of the last will & Testament of the said deceased

Whereupon it was this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c Ordered by the Court here that the Land of the Said John Reynolds be Sold for the satisfaction of his Creditors and the said executors are hereby impowered to sell & dispose the same for the use aforesaid.

Edmund Hinchman
agt
Samuel Hatton

Samuel Hatton late of Talbot County otherwise called Samuel Hatton of Talbott County in the Province of Maryland was sumōned to answer unto Edmund Hinchman of a plea that he render unto him ten thousand pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the said Edmund by Robert Carvile his Attorny complaineth that whereas the said Samuel upon the thirtenth day of April in the yeare of Our Lord One thousand six hundred Seventy foure by his certaine writeing Obligatory Sealed with the seale of him the said Samuel & here in Court produced whose date is the day & yeare abovesaid did bargaine and agree with the said Edward Hinchman as followeth That he the said Hatton did thereby Ingage himselfe to freight upon a Vessell belonging to the said Hinchman and then being On the Stocks in Leonards Creeke in Calvert County to Say foure Tunns of tobacco accompting foure h̄h̄ds to the Tunn and to provide them all ready at the plantacōn of Richard Cane in Petuxent River by the fourtenth day of May then next ensueing, the Said Vessell being bound for the Island of Barbadoes and his goods being there delivered he was to pay for it after the rate of Six pounds Sterling p Tunn And for the true performance of the premisses aforespecified he the said Samuel Hatton did by those presents bind himselfe his heirs executors & admrs in the summe of ten thousand pounds of tobacco due to be paid upon the non performance of the premisses abovewritten unto him the said Edmund Hinchman his heirs execut^{rs} adm^{rs} or assignes And the said Edmund in fact Saith That the said Samuel did not by the said fourtenth day of May nor dureing all the time of the Stay of the said Vessell in the said River which was till the eleventh day of June following before she tooke her intended Voyage for the said Island of Barbadoes provide the said foure Tunns of tobacco aforesaid nor hath the said Samuel performed any part of his agreement in the said writeing conteined By which action hath accrued to the said Edmund to have of the said Samuel the said summe of ten thousand pounds of tobacco according to the said writeing Obligatory And thereupon he bringeth his suite. Liber M M

And the said Samuel Hatton by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the same day is given to both parties. p. 464

Now here at this to wit the fifteenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoq; Dom̄ 1674 came the said Edmund Hinchman by Robert Carvile his Attorny and offered himselfe against the Said Samuel in the plea aforesaid but the said Samuel Hatton came not but made default Therefore it is considered by the Court here that judgm^{t} passe against the said Samuel by default for not answering the said Edmund to the action aforesaid and also that he pay unto the said Edmund the sum̄e of pounds of tobacco for his costs & charges in this behalfe laid Out & expended. and the said Samuel in mercy.

Edward Savage
ag^{t}
John Clemens

John Clemens late of Talbott County Merchant was attached to answer unto Edward Savage of Dorchester County Clerke in a plea of trespas upon the case.

And whereupon the said Edward Savage by Robert Ridgely his Attorny complaineth that whereas he now is & for divers yeares last past hath enjoyed & Officiated the Clerkes place of the County Court of the said County of Dorchester by Virtue of Severall Com̄issions from Severall of the Secretaryes of this Province by Virtue whereof he hath received Such ffees and rewards for his paines in doeing and performing his said Office of the Severall persons that had buisness therein as the Lawes of this Province in that case allow & moreover the said Edward being often imployed by Severall of the inhabitants of this Province as a Clerk for the drawing ingrosseing and recording of Severall conveyances Sales of Land & other writeings for the drawing and ingrosseing of which the said Edward was wont to receive and take of the Severall persons that So imployed him as much as he agreed with them for and for the

Liber M M recording thereof as much as the Act of Assembly allowed and the said John Clemons being Sensible and well understanding the parts and abilityes of him the said Edward in that Art and mastery of drawing and ingrosseing writeings as aforesaid and also that the said Edward was then Clerke of the said County of Dorchester and did receive & take to his Owne use all ffees and proffitts to the Said Office of Clerke of the said County belonging or in any wise appurteining the said John the One & twentith day of June in the 42th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ One thousand six hundred Seventy three in Consideration that the said Edward would write and record all such conveyances and other writings that he should have Occasion for in the said County of Dorchester and also doe all other writeing buisnesse that the said John Clemons should have Occasion for in the said County of Dorchester from the said One & twentith day of June untill the twentith day of June then next following to say for One whole yeare and also dureing the said time should demand no other ffees of him the said John for any buisnesse that he should enter upon record for him as Clerke of the said County the said John Clemons upon himselfe did assume and to the said Edward did then and there faithfully promise that he the said John at the end & expiration of the said yeare as a reward p. 465 to the said Edward for his paines and in full satisfaction of all his ffees that should accrue in the time aforesaid whether he imployed him more or lesse or not at all would well & truly pay unto him the said Edward or his Ordr the summe of One thousand pounds of tobacco upon demand convenient in the said County And the said Edward in fact Saith that the said John did imploy him the said Edward in recording of the time of the births of his Children and did acquaint him of divers other buisnesse he had for him to doe and that he the said Edward dureing the terme aforesaid was alwayes ready to doe & performe all such writeing buisnesse as the said John had to doe in the said County of Dorchester Notwithstanding which the said John his promise & assumption so as aforesaid to him the said Edward made not regarding but deviseing & fraudulently intending him the said Edward in this behalfe craftily and Subtilly to deceive & defraud the said One thousand pounds of tobacco to him the said Edward according to his promise and assumption aforesaid hath not paid though often demanded but the same to pay hath denyed & as yet doth deny to the damage of the said Edward of three thousand pounds of tobacco and thereupon he bringeth his suite.

And the said John by John Rousby his Attorny cometh & defendeth the wrong & injury when &c & Saith he did not assume and promise upon himselfe in such manner & forme as the said Edward hath above declared against him and of this he putts himselfe upon the Country and the said Edward likewise Therefore Comānd was

given to the Sheriff that he cause to come here to wit the ninth day Liber M M
of ffebruary in the 43th yeare of his Lopp̄s Dominion &c twelve &c by whom &c who neither &c because aswell &c to recognize &c.

At which said ninth day of ffebruary in the yeare aforesaid came the said John by his Attorny aforesaid but the said Edward came not whereupon ordered this cause continued be untill the last day of the same Court.

At which said last day to wit the fiftenth day of ffebruary in the yeare aforesaid came the said John by his Attorny aforesaid but the said Edward came not but made default whereupon the said John prayed a nonsuite might be awarded him Therefore it is considered by the Court here that the said John recover against the said Edward the summe of eight hundred and six pounds of tobacco for his costs and charges in this behalfe expended and laid Out & the said Edward in mercy for his false claime.

Upon the Complaint of Isabella Goodale Servant to James Neale senr that Capt John Quigley One of the Attornyes of this Court did sell and dispose the said Isabell & her Sonn to the said James Neale and that her Son was to be free at the expiration of the terme of Service of her the said Isabell and the said Capt James Neale Capt John Quigley and the said Isabell being present here in Court these papers following were produced in Court: vizt

Know all men by these prsents That I John Quigley have sold & doe make Over unto Capt James Neale Esq his heirs & assignes One woman Servant by name Elizabeth Gibbs and her Sonn Gilbert Goodale for the full terme and time of the Custome of Virginia to Say from the time of their Arrivall Witnes my hand this 8th p. 466
of ffebruary 1668.

John Quigley.

Testes
John Lord
Jno ffoxhall.

At a Court held for the County of Westmerland Augt 25th 1669.

Present	Coll Nicholas Spencer Lt Coll Jno Washington Major Wm Pearce	Capt Jno Lord Capt Jno Lee Mr Justinian Gerard	justices

Capt Thomas Philpott.

Whereas Coll Nicholas Spencer Lt Coll John Washington and Capt Thomas Philpott made inspection into the Ages of Elizabeth Gibbs and Gilbert Goodale both servants unto Capt James Neale who did then adjudge the said Gilbert Goodale to be five yeare of age the last of October next and then to Serve nineteene yeares and further did Order the said Elizabeth Gibbs to Serve five yeares who did then acknowledge to have an Indenture as by an Order dated the 25th June 1669 doth appeare The Court doth therefore confirme the judgment of the aforesaid Gent and doe Order Elizabeth Gibbs

Liber M M and Gilbert Goodale to serve their Aimes respectively unto Capt James Neale or his assignes.

Vera Copia
Teste me Robto Nurse Clucō: ibm̄.

These may Certifie all whom it may concerne That I John Quigley of the Citty of St Maries did in the Collony of Virginia about Six yeares & some odd months past dispose of One woman Servant by name Elizabeth Goodale unto Capt James Neale for the terme of five yeares from her first Arivall in Virginia and I doe further testifie that the said woman had with her a man child about five yeares of age which she said was her Sonn which I did no wayes putt of for any terme of time but to be free and cleere as Soon as his Mother the which I am ready Verifie when thereunto required the which I doe hereby Signifie under my hand this 13th of January 1674.

John Quigley.

Which said papers being read in Open Court and the Court haveing heard what all parties concerned could say in the premisses doe this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c Order the said Gilbert Goodale be free and discharged from the service of the said James Neale & that the said John Quigley Satisfie and pay unto the said James Neale the full quantity of two thousand pounds of tobacco for want of the service of the said Gilbert according to the terme he was adjudged to serve as aforesaid but so as execution thereof cease untill the tenth day of October next.

Vincent Lowe
agt
Wm Burges
this cause agreed

Vincent Lowe
agt
Kenelm Cheseldyn
Contained by Consent untill next Court.

p. 467 Robert Edmunds agt Richard Bayly

Richard Bayly late of Petuxent in Calvert County planter was Summoned to answer unto Robert Edmunds administrator of the Goods and Chattells of George ffoxwell deceased of a plea that he render unto him his reasonable accompt of the time he was receiver of the tobacco of him the said George in his life time which to him he make he justly Ought.

And whereupon the said Robert Edmunds by Robert Carvile his Attorny Saith that whereas the said Richard the eighteenth day of May in the yeare One thousand Six hundred Sixty nine was the receiver of the tobacco of him the Said George in his life time to receive to & for the use of him the Said George the sum̃e of foure thousand three hundred forty foure pounds of tobacco in bills received by the said Richard of the said George in his life time due from Severall persons in Calvert County aforesaid a particular whereof & the names of the persons are hereunto annexed & filed And also the said Richard the tenth day of April One thousand six hundred seventy One was the receiver of him the said George in his life time to receive to & for the use of the said George the sum̃e of six thousand seven hundred Sixty nine pounds of tobacco in bills received by the said Richard of the said George in his life time due from Severall persons in the said County and in Ann Arundell County a particular whereof and the names of the persons are also hereunto annexed and filed to render his reasonable accompt thereof when thereunto required Yet neverthelesse the said Richard reasonable accompt thereof to the said George in his life time nor to the said Robert after the death of the said George to whom administracōn of all and Singular the Goods and chattells of him the said George was committed hath refused & yet doth refuse to the damage of the said Robert & in hindrance of the administraccōn aforesaid whereupon he saith he is dampnified & hath losse to the Value of fifteene thousand pounds of tobacco And thereupon he bringeth his suite. And the said Robert bringeth here in Court the said Letters of Administracōn whereby it may appeare to the Court here that administracōn of the Goods and Chattells of the said George was to the said Robert Committed & that he hath the administration. Liber M M

And the said Richard Bayly by Kenelm Cheseldyn his Attorny cometh & defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Court & the same day is given to both parties here.

Now here at this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c Annoqȝ Dom̄ One thousand six hundred seventy foure came the said Richard Bayly by his Attorny aforesaid but the said Robert Edmunds to prosecute his action aforesaid came not therefore it is considered by the Court here that the said Richard Bayly recover against the said Robert Edmunds the summe of   pounds of tobacco for his costs and charges in this behalfe expended and the said Robert in mercy &c.

George Charlsworth }
agt } this cause agreed.
Charles Delaroch }

Marke Cordea } John Balley late of St Maries County merchant was p. 468
agt } attached to answer unto Marke Cordea in a plea of
John Balley } trespas upon the case.

And whereupon the said Marke by Kenelm Cheseldyn his Attorny Saith that whereas the Said John Balley the second day of April

Liber M M in the yeare of Our Lord One thousand six hundred Seventy three bought had and received of the said Marke Cordea thirty barrells of Monados beere at two hundred pounds of tobacco p barrell all sold & delivered as divers dayes and times to wit from the second day of April in the yeare aforesaid untill the ninth day of May in the same yeare in the whole amounting to the sum̄e of six thousand pounds of tobacco in consideracōn whereof the said John did assume upon himselfe and to the said Marke did faithfully promise that he the said John the said summe of Six thousand pounds of tobacco to him the said Marke when thereunto required the same to him the Said Marke would well and truly content & pay Notwithstanding which the said John the said Summe of Six thousand pounds of tobacco to him the said Marke according to his promise hath not paid though often thereunto required but the same to him the said Marke to pay hitherto hath & Still doth altogether deny to the damage of the said Marke eight thousand pounds of tobacco & thereupon he bringeth his suite.

And the said John by George Oldfeild his Attorny cometh & defendeth the force and injury when &c and saith that he did not assume upon himselfe and to the said Marke make such promise as the said Marke hath above against him declared and of this he putts himselfe upon the Country and the said Marke also therefore it is comanded the Sheriff of St Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c.

Now here at this day to wit the eleventh day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ 1674 came the said Marke Cordea by his Attorny and the said John Balley by his Attorny and the jurors of that jury came likewise to Wit Roger Baker Thomas Bowdle John Burage John Garnish James Veitch Justinian Gerard John Gittings Cornelius Watkinson Wm Watts Walter Hall Robert Proctor & Robert Large who being impannelled summoned and Sworne to say the truth in the premisses upon their Oathes doe say That they find for the plaintiff Therefore it is considered of by the Court here that the said Marke Cordea recover against the said John Balley the said summe of Six thousand pounds of tobacco damages occasioned by the trespas aforesaid as also the summe of nine hundred fifty Six pounds of tobacco for costs of Suite in this behalfe laid Out & expended.

Garret Vansweringen
agt
Richard Moy
John Barnes
agt
Richard Moy

these two causes continued untill the next Court.

Marke Cordea ag^{t} John Balley } John Balley late of S^{t} Maries County merchant was attached to answer unto Marke Cordea in a plea of trespas upon the case Liber M M p. 469

And whereupon the said Marke by Kenelm Cheseldyn his Attorny complaineth that whereas the said John Bally Stands indebted to the said Marke for Severall summes of tobacco at divers dayes & times to wit from the twentith day of March in the yeare One thousand six hundred seventy three untill the tenth day of March One thousand six hundred seventy foure disbursed and paid unto severall persons in this Province On the behalfe of the said John at the speciall instance & request of him the said John to wit to the Hon^{ble} Philip Calvert Esqꝫ the summe of foure hundred and eighty pounds of tobacco to George Wright eight hundred pounds of tobacco to Richard Ridgell One hundred pounds of tobacco to Elizabeth Bateman foure hundred and fifty pounds of tobacco, to his Taylor One hundred & fifty pounds of tobacco to Robert Carvile eight hundred pounds of tobacco all which said summes in the whole doe amount to the summe of two thousand seven hundred & eighty pounds of tobacco In consideration whereof the said John did assume upon himselfe and to the said Marke did faithfully promise that he the said John the said severall sum̃es as aforesaid disbursed as aforesaid in the whole amounting to the summe of two thousand seven hundred & eighty pounds of tobacco when thereunto required the same to him the said Marke would well & truly content & pay And the said Marke in fact Saith that he the said Marke did disburse and pay unto the Severall persons aforesaid the aforesaid Severall summes of tobacco amounting in the whole to the said sum̃e of two thousand Seven hundred & eighty pounds of tobacco On the behalfe of the Said John and at the Speciall instance & request of him the Said John Notwithstanding which the said John Balley the said Summe of two thousand Seaven hundred & eighty pounds of tobacco according to his promise hath not paid though often thereunto required but the same to pay hitherto hath & Still doth altogether deny to the damage of the Said Marke foure thousand pounds of tobacco And thereupon he bringeth his suite.

And the said John by George Oldfeild his Attorny cometh and defendeth the force and injury when &c and Saith that the said Marke his action aforesaid Ought not to have against him for that he saith that he alwayes was and Still is ready to pay unto the said Marke the said summe of two thousand seven hundred & eighty pounds of tobacco in the said declaration menc̄oned if lawfully demanded and that he the said John did upon the seventh day of October One thousand six hundred seventy foure being the day he was arrested and before which time never any legall demand for the said debt was made tender unto the said Sheriff for the use of the said Marke a note for eight h̄h̄ds tobacco of the proper goods of him the

Liber M M said John Lyeing at the plantation of James Neale in Charles County with the markes and numbers & weighing neate two thousand nine hundred eighty foure pounds of tobacco in discharge and full satisfaction for the said debt, but he refused to receive the same & he did also the same day deliver unto M^r Cheseldyn the plaintiffs Attorny the same note for the same tobacco So weighing as aforesaid in full Satisfaction for the said debt of two thousand seven hundred eighty pounds of tobacco. All which he is ready to averre and humbly demands judgment if the said Marke his action aforesaid ought to have against him &c.

p. 470 And the said Marke saith that he the said Marke Ought not to be debarred from haveing his Action aforesaid against him the said John for that he Saith that the said John Balley did never make any legall tender of the said two thousand seven hundred and eighty pounds of tobacco before the said arrest nor ever since and of this he prayeth may be enquired of by the Country & the defendant likewise therefore com̃and is given to the Sheriff of S^t Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c.

Now here at this day to wit the eleventh day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Marke by his Attorny and the said John by his Attorny and the jurors of that jury came likewise to wit Roger Baker Thomas Bowdle John Burage John Garnish James Veitch Justinian Gerard John Gittings Cornelius Watkinson W^m Watts Walter Hall Robert Proctor & Robert Large who being impannelled Sum̃oned and Sworne to Say the truth in the premisses upon their Oathes doe say They find for the plaintiff Therefore it is considered by the Court here that the said Mark recover against the said John Balley the said sum̃e of two thousand Seven hundred & eighty pounds of tobbacco for his damages occasioned by the trespas aforesaid as also the summe of nine hundred fifty Six pounds of tobacco for his costs and charges in this behalfe laid Out and expended, and the said John in mercy.

Job Corner
ag^t
Robert Ingoldsby.

Thomas Price
ag^t
Thomas Stanbridge

Timothy Lindall
ag^t
Edward Roe

Timothy Lindall & Comp^a
ag^t
Edward Roe

John Coade & ux
agt
Justinian Gerard
Isaac ffoxcroft
agt
John Allen
Richard Ambrose
agt
Thomas Helgar &
Thomas Gibson
John ffoster
agt
John Craycroft
Robert Gates
agt
James Nuthall

these nine causes agreed.

Marke Cordea
agt
John Balley

John Balley late of St Maries County merchant was attached to answer unto Marke Cordea in a plea of trespas upon the case. p. 471

And whereupon the said Marke by Kenelm Cheseldyn his Attorny Complaineth that whereas the said John Balley the six and twentith day of March in the yeare One thousand six hundred seventy three in consideration that the said Marke Cordea at the speciall instance and request of him the said John Balley would receive him the said John Balley into the house of him the said Marke as a boarder with him the said Marke for One month next following and So from One month next following another so long as it Should please both parties and find him the said John Balley Sufficient meate drinke washing and lodging and pasture for his horse dureing such time he the said John continued as aforesaid at the house of him the said Marke the said John did assume upon himselfe and to the said Marke did faithfully promise that he the said John for the time he the Said John Should continue at the house of the said Marke as aforesaid would well & truly content and pay to him the said Marke for the Same what he Should deferre And the said Marke in fact saith that he the Said John did board and continue in the house of him the Said Marke from the Said Six and twentith day of March in the Yeare aforesaid untill the ninetenth day of September in the yeare aforesaid in the whole amounting to the space and time of Six months & that he the said Mark dureing the said time did find him the said John Sufficient meate drinke washing & lodging & pasture for his horse & that for the same he doth well deserve three hundred pounds of tobacco ꝑ month which in the whole for six months doth amount to the summe of eighteen hundred pounds of tobacco notwithstanding which the said John Balley the Said sum̄e of eighteen hundred

Liber M M pounds of tobacco according to his promise though often thereunto required hath not paid to him the said Marke but the same to him to pay hitherto hath & still doth altogether deny to the damage of the Said Marke two thousand six hundred pounds of tobacco and thereupon he bringeth his suite.

And the Said John by George Oldfeild his Attorny doth come and defend the force & injury and saith that he did not assume upon himselfe and to the said Marke make such promise as the Said Marke hath above declared against him and of this he putts himselfe upon the Country and the said Marke also. Therefore Comand is given the sheriff of S^{t} Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c

Now here at this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c came the said Marke Cordea by his Attorny and the said John Balley by his Attorny and the jurors of that jury came likewise to wit Roger Baker Thomas Bowdle John Burage John Garnish James Veitch Justinian Gerard John Gittings Cornelius Watkinson W^{m} Watts Walter Hall Robert Proctor and James Bowling who being impannelled sumoned and p. 472 sworne to speake the truth in the premisses upon their Oathes doe say They find for the plaintiff One hundred pounds of tobacco p month Therefore it is considered of by the Court here that the said Marke Cordea recover against the Said John Balley the Summe of Six hundred pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of nine hundred fifty Six pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

Thomas Gant
ag^{t}
ffrancis Swinfen
Thomas Mountfort
ag^{t}
Thomas Bowdle
these two causes continued untill next Court.

Richard Hallett
ag^{t}
W^{m} Dunkerton
Walter Tucker & Comp^{a}
ag^{t}
the same
Walter Tucker &
Samuel Tucker
ag^{t}
the same.
these three causes being referred to Auditors to audite & state the accompts between the parties & no returne thereof yet made these causes continued untill next Court.

Liber M M

William Melton
agt
John Troster
Benjamin Hunton
agt
George Gunnell
these two causes by consent of the Attornyes of both sides continued untill next Court

Thomas Wynne
agt
John Rawlings
the deft appeares by Vincent Lowe his Attorny and imparles untill next Court.

Mathew Warde
agt
Thomas Carleton
the action abates the deft being dead.

John Slater
agt
Thomas Dieas
the deft not appeareing Ordered the Sheriff of Somersett County be amercied.

Robert Carvile
agt
John Rawlings
the deft appeares by Vincent Lowe his Attorny and imparles untill next Court

Robert Carvile
agt
Arthur Wright
the deft appeares by Robert Ridgely his Attorny and imparles till next Court.

Samuel Tracey
agt
Thomas Morley
the deft not appeareing this Court the Sheriff of Cecil County is amerced 40s.

Charles Calvert Esqꝫ
agt
John Harden &
John Clements
p. 473

Comānd was given to the Sheriff of Talbott County that he take John Harden late Master of the Shipp Seaflower of Poole in the Kingdome of England otherwise called John Harden Master of the Shipp Seaflower of Poole in the Kingdom of England and John Clements late of Talbot County otherwise called John Clements of Talbott County in the Province of Maryland if they should be found in his Bailiwick & them safe Keepe So that he have their bodyes here the ninth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c to answer unto the Honble Charles Calvert Esqꝫ Governour of Maryland & cheife justice of the Provinciall Court according to the liberties and priviledges &c allowed in a plea that they render unto him sixty pounds Sterling which to him they Owe and unjustly detaine

Liber M M At which said ninth day of ffebruary in the yeare aforesaid the same Sheriff maketh returne that the said John Harden and John Clements are not found in his Bailiwicke

And whereupon the said Charles by Vincent Lowe his Attorny complaineth and Saith that whereas the said John Harden & John Clements the fiftenth day of March Anno Dom̄ One thousand six hundred Seventy two by their certaine writeing Obligatory Sealed with their Seales here in Court produced whose date is the day and yeare abovewritten did bind themselves and either of their heirs executors and administrators in the whole & for the whole joyntly & Severally to pay unto the said Charles Calvert or to his certaine Attorny his heirs executors adm^rs^ or assignes the summe of Sixty pounds Sterling Yet notwithstanding the aforesaid Summe of Sixty pounds Sterling the said John Harden and the said John Clements have not paid to him the said Charles Calvert according to the tenor of the Said writeing Obligatory but the same to pay doth altogether deny and refuse though often thereunto required, Whereupon the said Charles Calvert Saith he is dampnified & hath losse to the Value of eighty pounds Sterling and thereupon he brings his suite

And the said John Clements in his proper person cometh and defendeth the force and injury when &c and prayeth the heareing of the said writeing Obligatory and it is read unto him & likewise prayeth the heareing of the Condition of the said writeing Obligatory and it is read unto him in these words The Condition of this Obligation is such That whereas the above bounden John Harden hath this day by exchange drawne on Master William Orchard merchant in Poole three bills of exchange of One tenor and date for twenty nine pounds ten shillings and foure pence Sterling payable at twenty dayes Sight unto the Right Hon^ble^ the Lord Baltemore or Order If therefore the said W^m^ Orchard doe accept & pay the said bills of Exchange according to the tenor of the said bills without fraud or delay that then this Obligation to be Void and of none effect otherwise to remaine and be in full force power & Virtue which being read & heard the said John Clements this day to wit the twelfth day of ffebruary in the yeare aforesaid Saith nothing in barr or p. 474 avoidance of the action aforesaid of him the said Charles Calvert Therefore it is considered by the Court here that the said Charles recover against the said John Clements as well the summe of twenty nine pounds ten shillings foure pence Sterling the debt aforesaid together with the summe of eight pounds seventeen shillings & One penny for Change and rechange of the debt aforesaid as also the summe of   for his costs & charges in this behalfe laid Out & expended.

Richard ffountaine agt Henry Hawkins } Com̄and was given the Sheriff of Charles County that whereas Richard ffountaine hath come before his Lopp̄ in his Court of Chancery and found Sufficient surety aswell his Clamor to prosecute as for One Chesnutt coloured Stone horse being the proper horse of him the said Richard which Henry Hawkins tooke and unjustly deteines as it is said to be returned if returne of the said Stone horse be adjudged That the said Stone horse to the said Richard ffountaine replevyed to be and delivered he cause & put by security and safe pledges the said Henry Hawkins that he be here the thirtenth day of October in 43th yeare of his Lopps Dominion &c to answer the aforesaid Richard ffountaine of a plea of takeing and unjustly deteineing of his Stone horse aforesaid & how the said writ shall be executed to the justices of this Court he make Knowne under the paine incumbent & also yt then & there he make returne of the same writt. Liber M M

Att which said thirtenth day of October in the yeare aforesaid the said Sheriff maketh returne upon the backside of the same writ The within mencōned Stone horse I could not find so could not make replevin of him But I haue taken the body of the within mentioned Henry Hawkins whom I have ready the day and place within conteined. Benja Rozer Sheriff.

At which said thirtenth day of October in the yeare aforesaid came the said Henry Hawkins by Benjamin Rozer his Attorny and prayeth liberty of Speakeing hereunto untill the next Provinciall Court and the same day is given to both parties. which said next Provinciall Court was by his Lopps writt of Adjournmt adjourned untill the ninth day of December then next comeing At which said ninth day of December came the said Richard ffountaine by his Attorny and the said Henry Hawkins by his Attorny likewise came & by & with the consent of the said Attornyes this cause was continued untill the next Provinciall Court.

At which said next Provinciall Court to wit the ninth day of ffebruary in the 43th yeare of his Lopps Dominion &c came the said Richard ffountaine by Robert Ridgely by his Attorny complaineth that the aforesaid Henry the tenth day of January in the two & fortith yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ One thousand six hundred seventy three at Charles County aforesaid One Chestnutt coloured stone horse of the price of foure thousand pounds of tobacco of the goods and Chattells of him the said Richard the said Henry tooke and unjustly deteined and as yet doth deteine against Suertyes & pledges whereupon the said Richard Saith he is dampnified and is the worse to the Value of Six thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Henry Hawkins by Benjamin Rozer his Attorny cometh and defendeth the wrong and injury when &c and saith that he did not take nor doth injustly deteine One Chestnutt Stone horse of the goods and Chattells of the Said Richard ffountaine against Suertyes & pledges as in his declaration is alleadged & this he prayes may be enquired into by the Country.

Liber M M Now here at this day to wit the thirtenth day of the same month of ffebruary in the yeare aforesaid came the said Richard ffountaine p. 475 by his Attorny aforesaid and Offered himselfe against the said Henry Hawkins in the action aforesaid but the said Henry came not but made default therefore it is considered by the Court here that judgment by default be awarded against him and that the said Henry satisffie and pay unto the said Richard the summe of two thousand One hundred twenty nine pounds of tobacco for his costs & charges in this behalfe laid Out & expended and that a writ of enquiry of damages for the trespas aforesaid issue returnable the next Provinciall Court.

Thomas Gerard
ag^{t}
John Gerard &
Rose Gerard execut^{rs}
of Thomas Gerard.

Rose Gerard and John Gerard Executors of the last will and Testament of Thomas Gerard Esqꝫ deceased were Summoned to answer unto Thomas Gerard Gent of a plea that they hold to him the Covenants betweene the said Thomas Gerard Esqꝫ & Thomas Gerard the Younger Gent according to the forme force & effect of certaine Indentures thereupon betweene them made. &c.

And whereupon the said Thomas Gerard the Younger by Robert Carvile his Attorny Saith that whereas by a certaine Indenture made the ninth day of January in the fortith yeare of the Dominion of Caecilius &c Annoqꝫ Dom̃ One thousand six hundred Seventy One Betweene the said Thomas Gerard Esqꝫ in his life time of the One part & the said Thomas Gerard the Younger Gent of the other part which other part signed with the seale of the aforesaid Thomas Gerard Esqꝫ the said Thomas Gerard the Younger produces here in Court whose date is the day & yeare abovesaid It is wittnessed That he the said Thomas Gerard Esqꝫ for & in consideration of the natural love & affection which he had & did beare to his son the said Thomas Gerard junior As also for the considerations therein after expressed did grant bargaine sell alien enfeoffe & confirme unto the said Thomas Gerard the Younger All that the Mannour of Westwood in the County of S^{t} Maries in the Province of Maryland with the appurteñncs in the said Indenture particularly mentioned And also all that parcell or Tract of Land com̃only called or Knowne by the name of the Meadowes scituate lyeing & being in the said County of S^{t} Maries Containeing by estimation foure hundred acres be the same more or lesse Granted unto him the said Thomas Gerard Esqꝫ by the R^{t} Hon^{ble} the Lord Proprietary of the said Province according to the Condicõn of Plantations as might appeare by a certaine Grant or patent thereof passed to him the said Thomas Gerard Esqꝫ beareing date the Seventh day of September in the yeare of Our Lord One thousand six hundred sixty three to be holden of the

Mannour of Calverton in the said province & all priviledges & advantages thereunto belonging or in anywise appurteineing To haue & to hold the said Mannour of Westwood & the said foure hundred acres of land called the Meadowes with their & every of their appurtenñcs to the aforesaid Thomas Gerard the Younger his heirs & assignes forever And the said Thomas Gerard the Younger did by those presents for himselfe his heirs execut^{rs} & adm^{rs} Covenant promise & Grant to & with the said Thomas Gerard Esqꝫ his heirs execut^{rs} & adm^{rs} for & in consideration of the p^{r}misses before by those p^{r}sents granted he or his heirs execut^{rs} or adm^{rs} should & would pay yearly & every yeare upon or before the tenth day of October the full & just quantity of Six thousand pounds of good tobacco & caske unto Marmaduke Snow Gent or his assignes for & dureing the full terme of his the said Snowes Naturall life And if it should happen that he the said Snow depart this life before Seven yeares from the date of those presents were fully compleate and ended then the said Thomas Gerard the Younger did by those p^{r}sents for himselfe his heirs execut^{rs} & adm^{rs} Covenant promise & Grant to & with the aforesaid Thomas Gerard thelder his heirs execut^{rs} adm^{rs} & assignes to continue the payment of the said quantity of Six thousand pounds of tobacco unto him the said Thomas Gerard thelder for & dureing the full terme of seven yeares aforesaid if he the said Thomas Gerard the elder should so long live And the said Thomas Gerard thelder did by the same p^{r}sents for himselfe his heirs executors & administrators Covenant promise and Grant to & with the p. 476 Said Thomas Gerard the younger his heirs & assignes to warrant the aforesd Mannour of Westwood with all rights members & appurtenñcs thereunto belonging and also the said Land called the Meadowes & every part thereof to be free & cleere & freely & cleerely acquitted exonerated & discharged from all & all manner of joyntures Dowers titles of Dowers morgages former Grants claimes or incumbrances whatsoever of any manner of person or persons whatsoever (except One Lease granted unto John Piper for One hundred Acres Out of the Mannour of Westwood to him the aforesaid Thomas Gerard the Younger his heirs and assignes for ever As by the same Indenture may more fully & at large appeare By Virtue of which Said Indenture the Said Thomas Gerard the Younger into the said Mannour Lands and premisses did enter and become seized & possessed thereof. And although the said Thomas Gerard the Younger hath fullfilled performed & Kept all & singular the things in the Indenture aforesaid above specified which on the part & behalfe of him the said Thomas Gerard the younger were to be fullfilled performed & Kept according to the forme & effect of the said Indenture The said Thomas Gerard junior in fact Saith that he being in the Seizin & possession of the premisses One Robert Doyne & Joshua Doyne did by Virtue of Some Grant from his Lo̅pp the Lord

Liber M M

Liber M M Proprietary of the said Province in the life time of the said Thomas Gerard thelder to wit about the Sixtenth day of November in the yeare of Our Lord One thousand six hundred seventy two into the said foure hundred acres of Land called the Meadowes enter & him the said Thomas Gerard the Younger did expell amove & hold Out after the death of the said Thomas Gerard thelder. And the said Joshua before the R^t^ Hon^ble^ Charles Calvert Esq & his Associates justices of his Lopps the Lord Proprietaryes Court of Chancery here that is to say at the Citty of S^t^ Maries upon the ninth day of March in the yeare of Our Lord One thousand six hundred seventy three Sued Out a writ of Scire facias against the said Thomas Gerard the younger to shew cause wherefore the Patent for the foure hundred acres of land called the Meadowes should not be revoaked & adnulled and the same into his Lopps hands be seized and gott judgment thereupon for the Vacateing the said patent. And although the said Thomas Gerard the Younger did in friendly manner request the said Thomas Gerard in his life time and the said Rose & John Gerard since his death & pending the said writ of Scire facias to warrant unto the said Thomas Gerard the Younger the said foure hundred acres of land called the Meadowes and to hold to him their Covenant aforesaid Yet the said Thomas Gerard in his life time did refuse & the said Rose and John since his death have refused & still doe refuse to warrant the same and the Covenant aforesaid have not held but have broken the same in that that the aforesaid Thomas Gerard thelder his heirs execut^rs^ and adm^rs^ would warrant the aforesaid Mannour of Westwood and the aforesaid foure hundred acres of Land called the Meadowes & every part thereof to be free & cleere & freely & cleerely acquitted exonerated & discharged from all & all manner of joyntures Dowers Titles of dowers mortgages former grants claimes or incumbrances whatsoever of any manner of person or persons whatsoever (except before excepted) to him the said Thomas Gerard the Younger his heirs & assignes for ever And the said Rose & John the Covenant aforesaid to him the said Thomas Gerard the Younger doe still deny to hold whereupon he saith he is dampnified & hath losse to the value of Sixty thousand pounds of tobacco And thereupon he brings his suite.

And the said Rose and John Gerard by Vincent Lowe their Attorny cometh &c and say they Ought not nor are bound by the Law p. 477 to hold Covenant with the said Thomas as above against them is supposed for that the said Rose and John have paid and are engaged by bills to pay Out of the estate of Thomas Gerard Esq deceased more then the personall estate of him the said Thomas deceased doe amount unto & have or will come to their hands as executors of him the said Thomas deceased and of this they putt themselves upon the Country.

And the Said Thomas Saith that he Ought not to be debarred

Liber M M

from haveing his action aforesaid against them the said Rose Gerard and John Gerard for that he Saith that they the Said Rose and John have not fully administred and paid Out of the estate of the Said Thomas Gerard deceased nor are indebted by debts of a high nature beyond what assetts are come to the hands of them the said John & Rose and of this he putts himselfe upon the Country and the defendants likewise. Therefore Comānd is given to the Sheriff of St Maries County that he cause to come here twelve &c by whom &c who neither &c because aswell &c to recognize &c.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Thomas Gerard by his Attorny & the said Rose & John Gerard by their Attorny and the jurors of that jury came likewise to wit John Balley John Luellin Richard Ackworth Morgan Jones Henry Rider John Hunt Thomas Doxey John Doxey Joseph Edloe Richard Ball Thomas Courtney and Stephen Murty who being impannelled sumōned & Sworne to Speake the truth of & in the premisses Upon their Oathes doe Say They find for the plaintiff five and thirty thousand pounds of tobacco Therefore is is considered of by the Court here that the said Thomas Gerard recover of the estate of the Said Thomas Gerard Esq deceased the said summe of five and thirty thousand pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of two thousand & eight pounds of tobacco for his costs & charges in this suite expended.

Edward Conery
John Gerard and
Rose Gerard executrs
of Thomas Gerard

John Gerard and Rose Gerard Late of St Maries County executors of the last will & Testament of Thomas Gerard lately called Thomas Gerard of St Clements Mannour Esq were Sumōned to answer unto Edward Conery of a plea that they hold unto him the said Edward Conery the Covenant made betweene the said Thomas Gerard of the One part and the said Edward Conery of the other part according to the force forme and effect of certaine Indentures thereupon betweene them made.

And whereupon the said Edward by Robert Carvile his Attorny saith that whereas by a certaine Indenture made at St Clements Mannour in St Maries County aforesaid upon the Sixth day of October in the yeare of Our Lord One thousand Six hundred Sixty Six betweene the aforesaid Thomas Gerard Esq in his life time of the One part & the aforesaid Edward Conery of the other part, which other part signed with the seale of the aforesaid Thomas Gerard the said Edward produceth here in Court whose date is the day and yeare abovesaid It is witnessed that the said Thomas Gerard Esq

Liber M M for a valuable consideration had bargained and sold and by those presents did bargaine & sell unto the said Edward Conery One parcell of Land bounded as followeth Begining at a redd Oake with nine notches standing neere the mouth of S^t^ Patricks Creeke from thence to a white Oake Standing at the head of a branch of S^t^ Patricks Creeke which was M^r^ Shancks bound tree So runing by Robert Coopers and Gerard Breedings land and M^r^ ffoxhalls Land unto the redd Oake where first begun conteineing by estimation two hundred p. 478 and twenty acres be the same more or lesse Scituate lyeing and being in the Province of Maryland with free ingresse egresse & regress for hoggs and Cattle and likewise free liberty of hunting hawkeing fishing and fowling as also to fell trees and carry away timber for the use of the said Conery To have and to hold the said two hundred & twenty acres of land with all proviledges profits & Comōdities unto him the Said Edward Conery his heirs and assignes forever Yeilding and paying yearly and every yeare unto him the said Thomas Gerard his heirs or assignes One barrell of Sound Indian Corne or tenn shillings Sterling or One hundred pounds of good tobacco and two Capons or a turkey henn forty dayes before or after Christmas at the Mannour house of S^t^ Clements aforesaid and there to appeare upon sumōns to doe homage & Service at all Courts Leets or Courts Barons that might or should be held upon the Said Mannour according to the usuall custome of England or the Law of this Province And the said Thomas Gerard did by the same Indenture bind himselfe his heirs executors & adm^rs^ & assignes to warrant defend and mainteine the said bargaine and Sale of the abovesaid Land unto the said Edward Conery his heirs executors adm^rs^ & assignes from all just claimes or titles to be made by any person or persons whatsoever as by the same Indenture more fully appeareth By virtue of which Indenture the aforesaid Edward Conery into the said bargained premisses did enter and became thereof seized in his demesne of ffee and the said Edward being so thereof Seized and possessed and although he hath well & truly fullfilled performed and Kept all & Singular the things in the Indenture aforesaid above specified On his part to be performed fullfilled & Kept according to the forme & effect of the said Indenture Yet the said Edward in fact saith that one Nehemiah Blackiston and Elizabeth his wife into the said bargained lands and premisses in the possession & Seizin of the said Edward Conery did enter and him from his possession thereof did expell move & hold Out and him the said Edward from theme yet doth hold Out and so the said Edward saith that the said Thomas Gerard Esq in his life time & the said John & Rose Gerard since his death though often required have not held but have broken the Covenant aforesaid of that that the aforesaid Thomas Gerard his heirs execut^rs^ adm^rs^ or assignes would warrant defend & mainteine the said bargaine and Sale of the said lands & premisses unto the said Edward

Conery his heirs execut^{rs} adm^{rs} and assignes from all just claimes Liber M M and titles to be made by any pson or persons whatsoever according to the forme & effect of the said Indenture and the Said John and Rose Gerard have hitherto denyed to hold the same and as yet doth deny whereupon the said Edward Saith he is dampnified and hath losse to the value of forty thousand pounds of tobacco and thereupon he bringeth his suite.

And the said John and Rose Gerard by Vincent Lowe their Attorny cometh &c and saith they Ought not nor are bound by the Law to hold covenant with the said Edward as against them above is Supposed for that the said John and Rose haue paid and are engaged by bills to pay Out of the estate of Thomas Gerard Esq deceased as executors of the said Thomas deceased more then the personall estate of him the said Thomas deceased doe amount unto have or will come to their hands as Executors to him the said Thomas decease and of this they put themselves upon the Country.

And the said Edward Saith that he Ought not to be debarred from p. 479 haveing his action aforesaid against them the said Rose Gerard & John Gerard for that he saith that they the said Rose & John have not fully administred and paid Out of the estate of the said Thomas Gerard deceased nor are indebted by debts of an high nature beyond what assets are come to their hands and of this he also putts himselfe upon the Country Therefore Com̄and is given to the Sheriff of S^{t} Maries County that he cause to come here twelve &c.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Edward by his Attorny aforesaid but the said Rose Gerard & John Gerard came not Therefore it is considered by the Court here that judgment by default passe against them and a writt of inquiry of damages is granted the said Edward Conery returnable at the next Provinciall Court.

Benj^{a} Bennitt ag^{t} Richard Ball } this cause continued by consent of the Attornyes of both sides untill next Provinciall Court.

Edward Roe
ag^{t}
Jeremiah Eaton &
John Barke.

James Nuthall
ag^{t}
Richard Bayly

Marmaduke Semme
ag^{t}
John Shapley

Liber M M Garret Vansweringen
ag^{t}
Henry Smith
George Charlsworth
ag^{t}
Charles Delaroch
W^{m} West
ag^{t}
Nehemiah Blackiston
Jn^{o} Blackiston
ag^{t}
George ffinion
Marmaduke Semme
ag^{t}
W^{m} King
Richard Moy
ag^{t}
George Powell
Richard Royston
ag^{t}
Richard Bayly
Samuel Hatton
ag^{t}
ffrancis Holland.

these Seven causes continued untill next Provinciall Court

p. 480 Morgan Jones
ag^{t}
John Rawlings

the def^{t} appeares by Vincent Lowe his Attorny and imparles untill next Court

Philip Calvert Esq
ag^{t}
Peter Eure & Thomas
Courtney.
John Hudson
ag^{t}
Thomas Taylor.
Thomas Chapman
ag^{t}
John Baker
John Throster
ag^{t}
W^{m} Melton
Charles James
ag^{t}
Thomas Dale & ux

these five causes continued untill next Court

Comānd was Given the Sheriff of St Maries County that he attach Liber M M any the Goods and Chattells of Mathias Decosta to the value of fourteen hundred sixty eight pounds of tobacco and the same in his Custody to Keepe untill the said Mathias should by himselfe or his Attorny appeare here the ninth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c to answer unto Richard Keene of a plea that he render unto him the sum̄e of eleven hundred & One pounds of tobacco which to him he oweth & unjustly deteineth

At which said ninth day of ffebruary in the yeare aforesaid the said Sheriff maketh returne of the writt aforesaid in these words vizt

the within named Mathias Decosta is attached by tobacco in
Capt Quigley's hands.

Henry Parker agt Henry Turner
Henry Parker agt Henry Bradley
Jno Quigley agt Garrett Vansweringen
Richard Ambrose agt John Allen
Walter Hall agt John Noble
Even Carew agt Marke Cordea
the respective Defendants by Kenelm Cheseldyn their Attorny appeare & imple untill next Court.

Thomas Warner agt Wm Dirkin & Wm Crane
the Sheriff of St Maries County haveing returned a Cepi, this cause continued untill next Court. p. 481

Comānd was Given the Sheriff of St Maries County that he attach any the Goods and Chattells of Mathias Decosta if &c to the value of ten thousand pounds of tobacco & them in his custody Keepe untill the said Mathias should by himselfe or Attorny appeare here the ninth day of ffebruary in the 43th yeare &c to answer unto Garret Vansweringen of a plea that he render unto him the sum̄e of eight thousand pounds of tobacco which to him he oweth & unjustly deteineth

Att which said ninth day of ffebruary in the yeare aforesaid the same Sheriff maketh returne that the Said Mathias attached is by

Liber M M three thousand pounds of tobacco. Whereupon is Ordered by the Court here that execution for the said sum̄e of three thousand pounds of tobacco be granted the said Garret Vansweringen according to Act of Assembly in that case made and provided.

Evan Carew
ag^{t}
Marke Cordea
Jn^{o} Eason & ux
ag^{t}
Richard Gorsuch
the def^{ts} by Kenelm Cheseldyn their Attorny appeare & imparle untill next Court.

George Beckwith
ag^{t}
Thomas Mountfort
Jn^{o} Ingram adm^{r}
George Harris
ag^{t}
Mathew Stone
the def^{ts} by Kenelm Cheseldyn their Attorny appeares & imparle untill next Court

John Browne
ag^{t}
W^{m} Russell
the Sheriff of Ann Arundell County returne[s] Cepi.

Tobias Wells execut^{r}
Mary Pine
ag^{t}
John Larkin
the def^{t} by John Rousby his Attorny appeares & imparle untill next Court

Evan Carew
ag^{t}
Robert Proctor
the def^{t} by Thomas Bland his Attorny appeares & imparles untill next Court.

Thomas Hussey
ag^{t}
Benj^{a} Rozer
the defend^{t} by Rob^{t} Ridgely his Attorny appeares & imparles untill next Court

Roger Baker adm^{r}
John Jubbar
ag^{t}
Thomas Gant
the def^{t} by Kenelm Cheseldyn his Attorny appeares & imparle untill next Court.

p. 482 Roger Baker
ag^{t}
John Pott
the same
ag^{t}
Henry Cox
the same
ag^{t}
John Atkey
the Sheriff of Calvert County haveing returned Cepi in the causes & the def^{ts} not appeareing Ordered that the Sheriff be amercied unlesse they appeare next Court

Liber M M

John Offley agt John Gittings admr John Wingfeild Charles James agt Thomas Williams	the defts by John Rousby their Attorny appeare and imparle untill next Court
Samuel Millington agt George Beckwith	the deft by Robert Carvile his Attorny appeares & imparles untill next Court.
Robert Lashley agt John Bigger Stephen Sealous & Tho: Purnell agt Robert Blinckhorne	the defts by Kenelm Cheseldyn their Attorny appeare & imparle untill next Court.
Stephen Tully agt John Darby & Wm Hemsley	the deft Darby appeares by Mathew Warde his Attorny & imparles untill next Court.
John Emett agt Thomas Walker	this cause in ejectmt Continued untill next Court
George Beckwith agt Jno Luellin & Thomas Lomax	the Sheriff of St Maries County maketh returne Cepi Luellin & Lomax Non est inventus the deft Luellin appeares by Kenelm Cheseldyn & imples untill next Court.
Bryan Daley agt George Charlsworth the same agt the same	the deft by Robert Carvile his Attorny appeares & imparles untill next Court
George Marshall admr Joseph Brough agt Garret Vansweringen	the deft by Kenelm Cheseldyn his Attorny appeares & imparles untill next Court.

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Thomas Baile
ag^{t}
Charles Delaroch
Thomas Spinke
ag^{t}
Jeane Paine
the def^{ts} by Robert Ridgely their Attorny appeare & imparle untill next Court.

Garret Vansweringen
ag^{t}
George Marshall
the Sheriff of S^{t} Maries County amerced unless the def^{t} appeare next Court.

David Driver
ag^{t}
John Bearecroft
Jn^{o} England & Thomas Jones
ag^{t}
Lydia Solley adm^{rx} Benj^{a} Solly
Thomas Jones
ag^{t}
John Jordaine
the def^{ts} by Robert Carvile their Attorny appeares & imparles untill next Court.

Marke Cordea
ag^{t}
Thomas Baile
the Sheriff of S^{t} Maries County amerced unlesse the def^{t} appeare next Court.

Christopher Cooke
ag^{t}
W^{m} Tailer
Ann Palin execut^{rx} Jn^{o} Palin
ag^{t}
W^{m} Tailer
the def^{ts} appeare by Benj^{a} Rozer his Attorny & imparles untill next Court

Thomas Bennit
ag^{t}
Richard Weller
George Tite
ag^{t}
George Oldfeild
John Denis
ag^{t}
George Oldfeild
the def^{ts} by Vincent Lowe their Attorny appeare & imparle untill next Court.

W^{m} Dare
ag^{t}
James Nuthall
the def^{t} by George Oldfeild his Attorny appeares & imparles untill next Court.

George ffinion
agt
John Blackiston
Thomas Doxey
agt
George Marshall admr
Joseph Brough

the defts by Kenelm Cheseldyn their Attorny appeares & imparles untill next Court.

John Cassock
agt
John Lemaire &
John Newton

the Sheriff of Charles County maketh returne Cepi Lemaire Newton non est inventus the same Sheriff amerced unless the left Lemaire appeare next Court. p. 484

ffrancis Partis
agt
Nehemiah Blackiston
Charles Delaroch
agt
John Browne
John Coade & ux
agt
Gerard Sly

these three causes agreed.

Garret Vansweringen
agt
John Quigley
the Same
agt
the Same
the Same
agt
the Same
the Same
agt
the same
Hugh Roy
agt
the Same
Stephen Tully
agt
the Same

the deft by Robert Carvile his Attorny appeares & imparles untill next Court.

Thomas Oakely
agt
Lydia Solley admrx
Benja Solley

upon appeale from St Maries County Court Continued untill next Provinciall Court.

Liber M M Timothy Lowe ag^{t} Thomas Ball } Upon appeale from Dorchester County Court Continued untill next Court.

Thomas Hedge ag^{t} Garrett Vansweringen } the def^{t} by Kenelm Cheseldyn his Attorny appeares & imparles untill next Court

p. 485 This Indenture made this Tenth day of July in the 43th Yeare of the Dominion of Caecilius Absolute Lord & Proprietary of the Province of Maryland Avalon Lord Baron of Baltemore Anno 1674 Between Cap^{t} William Boarman of S^{t} Maryes County in y^{e} Province of Maryland Gentl̄ of the one pte And Samuell Brockett of the said place Planter of the other pte Wittnesseth that the said W^{m} Boarman for & in Considerac̄on of a certaine Sum̄e of Tobacco to him the said Boarman before the ensealing & delivery of these p^{r}sents by the said Samuell Brockett well & truly paid y^{e} Receipt whereof the said W^{m} Boarman doth hereby Acknowledge & himselfe therewith fully satisfied & Contented & of every parte & parcell thereof doth cleerly Acquit Exonorate & discharge the said Samuell Brockett his heyres Ex^{rs} & Adm^{rs} & every of them by these p^{r}sents Hath Given Granted Aliened Bargained Sold Assigned Transferred Enfeoffed & Confirmed And by these p^{r}sents doth Giue Grant Alien Bargaine Sell Assigne Transferre Enfeoffe & Confirme vnto the said Samuel Brockett his heyres & Assignes for euer All that pcell or tract of land lying scituate & being in S^{t} Maryes County nexte adjoyning to the land of y^{e} said Boarman purchased of Humphrey Howell on the South East and by the firste branch of the Creek with a line drawne into the Swamp on the North East by some markt trees or some tymes a run of fresh water on North West & by the Swamp & Hills on the South West being by Estimac̄on & not exceeding Fifty acres Together with all houses Edifices Buildings Orchards Gardens Hawkings Huntings ffishings ffowlings and all and singuler other Apptenn̄ces or priviledges to the said Land belonging or in any manner of way Apptaining To haue & to hold the said land & p^{r}mises with their & every of their Rights members & apptenn̄ces or priviledges before by these p^{r}sents Bargained & sold or hereby intended to be Bargained & Sold together with all the priviledges before mencon̄ed to him the said Samuell Brockett his heyres & Assignes for ever And y^{e} said W^{m} Boarman for himselfe his heyres Ex^{rs} & Adm^{rs} doth Covenant pmise & Graunt to & with the said Samuell Brockett his heyres & Assignes That he the said William Boarman his heyres Ex^{rs} & Adm^{rs} the said land & all other the before Bargained p^{r}misses & every pte & pcell thereof with their & every of their Apptenn̄ces to him the said Samuell

Brockett his heyres & Assignes to the use aboue mencoñed against him the said Wm Boarman his heyres Exrs & Admrs shall & will warrant & foreuer hereafter defend by these prsents the Rents & services which hereafter shall grow due for the same & payable to the Lord or Lords of the ffee or ffees for & in respect of his or their Seigneory or Seigneorices allwayes Excepted & foreprized In Wittnes whereof the pties aboue named to those prsent Indentures haue interchangably sett their hands & Seales the day & yeare aboue written. Liber M M

Signed Sealed & deld in
prsence of Rich: Moy
Jon ◎ Thopson
his marke

Wm Boarman ⊕
ffebruary 15th 1674
The abovesaid Deed was by the said Wm Boreman acknowledged in Open Court to the use abovementioned.
Jno Blomfeild Ct.

On the backside of a Pattent for One hundred acres of land Granted vnto Marke Phepo of the County of St Maryes Plantr and bearing date of the Tenth day of Octobr in the: 37th Yeare of the Dominion of Caecilius &ca was written as followeth. p. 486

Wee whose names are here vnderwritten doe hereby for us or heyres or Assignes Assigne over all or Right title and Intrest of & to the within specified prmises to Jeremiah Harrington his heyres or Assignes for euer Wittnes or hands this 11th day of Decembr Anno Dm 1668

Marcke Pheypo
Anna ⌿ Pheypo
her marke.

Test Joseph Brough Tho: Seamans

The within mencoñed Pattent with the land & prmisses therein mencōned was in open Court on the 14th day of Decembr 1668 Acknowledged by the within named Marke Pheypo & Ann his wife to be the right of the abouenamed Jeremiah Harrington & his heyres for euer
Daniel Jenifer

Wee whose names are hereunder written doe hereby for us or heyres or Assignes Assigne over all or right title and Intrest of & to the within specified prmises to Thomas Doxey his heyres or Assignes for euer this: 8th day of July 1669

Test
Joseph Brough Bryan Daly

Jeremiah Harrington
his ƗH marke
Ann Harrington
her N marke

Wee whose name are here under written doe hereby for vs or heyres or Assignes Assigne ouer both or rights titles & Intrest of &

Liber M M to the within specified p^{r}mises vnto Bryan Daly his heyres or Assignes foreuer this 4th day of January 1669.
Testibus the marke of Tho: Λ Doxcey
Walter Thynus the marke of Ann G Doxcey
the marke of W^{m} H Thomas
Marcke Pheypo
the marke of Jo^{n} IH Harrington

I Bryan Daly of the County of S^{t} Maryes in the Province of Maryland my heyres Ex^{rs} Adm^{rs} doe Assigne & make over my right & title of this within mencoñed Pattent unto Hugh Maning his heyres Ex^{rs} Adm^{rs} or Assignes In Wittnes whereof I haue hereunto sett my hand this 27th of July 1674

p. 487 Testes Bryan Daly.
John Hall Tho: Keytinge
Constantine Kieffe

This Indenture made the Twentieth day of January in the: 43th Yeare of the Dominion of Caecilius &c^{a} & in Yeare of o^{r} Lord God 1674 Betweene Bryan Daly of the County of S^{t} Maryes in the Province of Maryland of the one parte Plant^{r} And Hugh Maning of the said County & Province of the other pte Plant^{r} for the Consideracõn of Tenn thousand pounds of good sound M^{r}chantable Tobacco & Caske vnto the said Bryan Daly paid in hand for which he doth Acknowledge himselfe to be fully Contented satisfyed & paid of & of euery pte & pcell thereof Witnesseth that the said Bryan Daly for diverse other good causes & Consideracõns him thereunto moving Hath clearely Bargained & Sould & by these & p^{r}sents Clearly Bargaineth and selleth to the said Hugh Maning One hundred acres of land more or lesse com̄only called by the name of Cornelius his Swamp lying scituating & being in the County of S^{t} Maryes aforesaid in S^{t} Michaels Hundred begining att a marked white Oake vpon a branch of S^{t} Jeromes Creeke & runing from the said Oake West & by North for One hundred pches to a marked Oake standing on the South side of the Towne path bounded on the West by a line drawne South & by East for One hundred & sixty pches to another red Oake standing by the Towne path bounded on the South by a line drawne East & by South for One hundred pches bounded on the East by a line drawne from the end of the East & by South line to the firste bounded white Oak containing & laid out as aforesaid And as Appeareth by the Pattent for the same bearing date the Tenth day of Octob^{r} in the Yeare 1668 with all manner of profitts gaines & advantages arising vpon the same which he or any pson or psons to his use hath haue or had To haue & to hold the said land to the said Hugh Maning his heyres & Assignes for ever And also the said Bryan Daly hath Bargained & sould vnto the said Hugh Maning the

Pattent of the said land with the tenoure thereof for the Consideracōn afore mencōned which land the said Bryan Daly warranteth to the said Hugh Maning And that he hath lawfull power & Authority to Bargaine & Sell the p^{r}mises from him the said Bryan Daly & his heyres for eu^{r} To him the said Hugh Maning & his heyres for ever with warranty or Warrantyes whatsoeuer Together with all & singuler the houses buildings Structures or Edifices whatsoeu^{r} thereunto belonging or appertaining As alsoe together with all the Orchards Gardens pastures ffeedings Com̄ons Comōns of pastures Ranges for hoggs Woods vnderwoods Waters Water-Courses ffishings ffowlings wayes Easements Proffitts Com̄odityes & hereditam^{ts} w^{t}soeuer vnto the said land belonging or in any manner of way Appertaining, or otherwise as by Councell of the said Hugh Maning his heyres or Assignes shall be advised All former Bargaines & Sales Joynctures Dowers Leases & of all other Incumbrances & Charges whatsoeuer they be Except the Rent to the Right Hon^{ble} the Lord Proprietary mencōned in the aforesaid Pattent And the said Bryan Daly from him & his heyres foreuer hath sould the said land to the said Hugh Maning & his heyres for euer In Wittnes whereof the said Bryan Daly hath sett his hand & Seale the day & Yeare aboue written.

Liber M M

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Signed Sealed together wth Bryan Daly
possession of liuery & seizín
by turfe & twigg in the
p^{r}sence of us
Constantine Kieffe Tho: Innes Geo: Marshall

ffebuary the 13th 1674

The aforegoeing Deed of Bryan Daley was in Open Court acknowledged to be his act and Deed to the Uses therein mentioned.

Jn^{o} Blomfeild Cł Cur Provin.

This Indenture made the: 10th day of ffebruary in the: 43th Yeare of the Dominion of Caecilius &c^{a} Annoq; Dm 1674 Betweene John Creycroft of the County of Calvert in the Province of Maryland Joyner of the one pte And John ffoster of the Citty of London in the Kingdome of England M^{r}chant on the other p̄te Witnesseth that the said John Crecroft for & in Consideracōn of Eight Thousand Pounds of Tobacco to him in hand paid by him the said John ffoster before the Ensealing & deliuery of these p^{r}sents whereof & wherewith he Acknowledges himselfe fully satisfied & paid And thereof & of every pte & pcell thereof doth Cleerly Acquitt & discharge the said John ffoster his heyres Ex^{rs} Adm^{rs} & every of them by these p^{r}sents Haue Giuen & Graunted Bargained Sold & Confirmed And by these p^{r}sents doth fully Cleerly & absolutely Giue Graunt Bargaine Sell & Confirme vnto him the said John ffoster his heyres & Assigns foreuer All that Messuage or Tenem^{t} of land scituate lying & being in Calvert

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Liber M M County called & knowne by the name of Hackthorne Heath lying & being in the County aforesaid on the West side of Potuxont Riuer & begining att a bounded Oake of a pcell of land formerly laid out for Roger Brooke gentl̄. called Brooke Point & runing East North East for One hundred & sixty pches to a bounded red Oake by a small branch Issuing out of the maine branch of a Creeke called Brooke Creeke & from thence runing North Three hundred & sixty pches to a bounded red Oak neer an Indian Feild And from thence runing West North West for Ninety pches & from the end of the said West North West line runing South South West halfe a point Westerly to the land of Roger Brooke aforesaid & with the said land to the firste bounded tree Containing & then laid out for foure hundred acres of land more or lesse & now in the tenure & Occupacōn of the said John Creycroft or his Assigns Together with all & singuler the hereditam^{ts} & Apptenñces whatsoeuer to the said Messuage or Tenem^{t} of land now or att any tyme heretofore belonging or Appertaining or therewth now or therefore taken as pte pcell or member thereof or any pte thereof And all & singuler Deeds Evidences writings Escripts & Minum^{ts} touching & concerning the before Bargained p^{r}mises & every pte & pcell thereof To haue & to hould the said Messuage or Tenem^{t} of land & all & singuler other the p^{r}misses with their & every of their Appurtenñces before by these p^{r}sents Bargained & Sold or meant mencoñed or intended to be hereby Granted Bargained & sold & euery pte & pcell thereof unto the said John ffoster his heyres & Assignes To the only use & behoofe of him the said John ffoster his heyres & Assignes for euer And the said John Creycroft for himselfe his heyres Ex^{rs} & Ad^{rs} & for euery of them doe Covenant premise & Graunt to & with the said John p. 490 ffoster his heyres Ex^{rs} Adm^{rs} & Assignes by these p^{r}sents That the said Messuage or tract of land & all other the p^{r}misses aboue by these p^{r}sents mencoñed to be Graunted & sould & every pte & pcell thereof on the day of the date hereof And from tyme to tyme & all tymes hereafter for euer shall be remaine & continue to the said John ffoster his heyres & Assignes To the only proper use & behoofe of him the said John ffoster his heyres and Assignes for euer free & Cleer & freely & cleerly Acquitted Exonerated & discharged or otherwise by the said John Creycroft his heyres or Assignes sufficiently saved & kept harmlesse of and from all & all manner of pson or psons whatsoeuer Clayming from by or under him them or any of them from all other Charges Titles troubles & Incumbrances whatsoeuer had made Com̄itted suffered or done by the said John Creycroft his heyres or Assignes That he the said John ffoster his heyres & Assignes shall & may from henceforth for euer peaceably & quietly haue hold use occupy possesse and enjoy the said Messuage or tract of land & other the p^{r}mises aboue by these p^{r}sents mencōned to be Bargained & Sould & euery pte & pcell thereof and the rents Issues &

profitts thereof shall & may receuie & take without the lest interrupcōn or Contradicōn of the said John Creycroft his heyres or Assignes or of any other pson or psons Clayming by from or under him them or any of them or by his or their meanes right title privity consent or pcuremt The Rents & seruices hereafter to grow due & payable to the Chiefe Lord or Lords of the prmisses or his or their Seigniory or Seigniories for the same only Excepted & foreprized And farther the said John Creycroft doth Covenant promise & Grant for himselfe his heyres Exrs Admrs to & wth the said John ffoster his heyres & Assignes & to & with euery of them by these prsents That he the said John Creycroft & his heyres & all & euery other pson or psons hauing & Clayming or which shall or may haue Clayme or prtend to haue any manner of Estate right title or Intrest into or out of the before Bargained prmisses or any pte or pcell thereof by from or under the said John Creycroft shall & will from tyme to tyme & att all tymes hereafter during the tyme & Space of seaven Yeares next ensuing the date of these prsents vpon every reasonable request p. 491 & att the Cost & Charges in the Law of the said John ffoster his heyres or Assignes doe make Acknowledge Execute & suffer or cause to be made done Acknowledged Executed & suffered All such other lawfull Act or Acts Conveyance or Conveyances of the prmisses be itt by ffine feofmt Inrolmt of the prmisses or any other lawfull manner of wayes whatsoeuer for ye better & sure making of the prmisses to the said John ffoster his heyres & Assignes for euer As by the said John ffoster his heyres or Assignes or their Councell learned in the Law shall be reasonably devised or required In Testimony whereof the said John Creycroft hath hereunto sett his hand & Seale the day & yeare firste aboue written. Liber M M

Sealed & deld in the prsence of John Craycroft
Peter Eure James Nicholls
ffebruary ye 10th 1674

The aforegoing Deed of John Craycroft was in open Court Acknowledged to be his Act & Deed to the uses therein mencōned

This Indenture made the 23th day of ffebruary in the 43th Yeare of the Dominion of Caecilius Absolut Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baron of Baltemore &ca Annoq Dm 1674 Betweene Andrew Woodbery of Salem in New England Marriner of the one pte And Marmaduke Seemes of St Maryes County in the Province of Maryland Inholder on the other pte Witnesseth that the said Andrew Woodbery for & in Consideracōn of fiue Thousand pounds of good sound Mrchantable Tobacco in Caske to him in hand paid before the Ensealing & deliuery of these prsents by the said Marmaduke Seemes whereof the said Andrew Woodbery doth Acknowledge the Receipt & thereof & of euery pte and pcell thereof doth cleerly Acquitt & discharge the said Marma-

Liber M M duke Seemes his heyres & Assignes & euery of them for euer by these p^r^sents Haue Giuen Granted Bargained Sold Enfeoffed & Confirmed And by these p^r^sents doe fully cleerly & Absolutely Giue Graunt Bargaine Sell Alien Enfeoffe & Confirme unto the said Marmaduke Seemes his heyres & Assignes for euer All that tract of p. 492 land comōnly called & knowne by the name of Midle Plantacōn scituate lying & being in Chesepeake Bay & on the Eastern side of the said Bay in the County of Cecil & on the bank of a Riuer in the said Bay called Sassafrax Riuer begining att a marked Poplar being one of three Poplars comonly called & knowne by the name of the three Poplars & runing along downe a branch of the head of the Pond Creek North West for breadth One hundred & fifty pches vnto a marked Gumm standing in the said branch bounding on the said Gumm by a line drawne South West for length three hundred & Twenty pches bounding on the South West by a line drawne South East One hundred & fifty pches bounding on the South East by a line drawne North East & unto the firste bounded tree containing & then laid out for three hundred acres more or lesse & now in the tenure & Occupacōn of the said Andrew Woodbery his heyres or Assignes Together with all & singuler the hereditam^ts^ & Apptenñces whatsoeuer to the said trackt of land now or att any tyme heretofore belonging or apptaining or therewith now or heretofore occupyed or Enjoyed or accepted reputed or taken as pte pcell or member thereof or any pte thereof And all & singuler Deeds Evidences Pattents writings Escripts & minum^ts^ touching & concerning the before Bargained p^r^misses & every pte & pcell thereof To haue and to hold the said tract of land & all & singuler other the p^r^misses with their and euery of their Appteñnces before by these p^r^sents Bargained & Sold or meant mencōned or intended to be hereby Granted Bargained & Sould & euery pte & pcell thereof vnto the said Marmaduke Seemes his heyres & Assignes To the only use & behoofe of him the said Marmaduke Seemes his heyres and assignes for euer And the said Andrew Woodbery for himselfe his heyres Ex^rs^ & Adm^rs^ for euery of them doth Covenant promise & Grant to & with the said Marmaduke Seemes his heyres Ex^rs^ Adm^rs^ & Assignes by these p^r^sents That the said tract of land & all other the p^r^misses p. 493 aboue by these p^r^sents mencōned to be Granted to be sold And every pte & pcell thereof on the day of the date hereof and from tyme to tyme & att all tymes hereafter for euer shall be remaine & continue to the said Marmaduke Seemes his heyres & Assignes To the one proper use & behoofe of him the said Marmaduke Seemes his heyres & Assignes for euer free & Cleer freely & Cleerly acquitted Exonerated & discharged or otherwise by the said Andrew Woodbery his heyres or Assignes sufficiently saved & kept harmlesse of & from all manner of Bargaines Sales Joynctures and of & from all other Charges titles troubles & Incumbrances w^t^soeuer had made

Com̄itted & done by the said Andrew Woodbery his heyres or Assignes And that he the said Marmaduke Seemes his heyres & Assignes shall & may from henceforth for euer peaceably & quietly haue hold use occupy possesse & Enjoy the tract of land & other the p^{r}misses aboue by these p^{r}sents mencõned to be Bargained & sold & euery pte & pcell thereof And the Rents Issues and proffitts thereof shall & may Receiue & take without the lett interrupcõn or contradiccõn of the said Andrew Woodbery his heyres or Assignes or of any other pson or psons Clayming by or under him them or any of them or by his or their meanes right title priuily consent or procurem^{t} The Rents & seruices hereafter to growe due & payable to the Chiefe Lord or Lords of the p^{r}misses to his or their Seigniory or Seignioryes for the same only Excepted & forprized And further the said Andrew Woodbery doth Covenant promise & Graunt for his heyres Ex^{rs} & Ad^{rs} to & with the said Marmaduke Seemes his heyres & Assignes & to & with euery of them by these p^{r}sents That he the said Andrew Woodbery & his heyres & all & euery other pson or psons hauing or Clayming or which shall or may haue Clayme or p^{r}tended to haue any manner of Estate right title or Intrest into or out of the before Bargained p^{r}misses or any pte or pcell thereof by from or under the said Andrew Woodbery shall & will from tyme to tyme & att all tymes hereafter during the tyme & space of seauen Yeares nexte ensuing the date of these p^{r}sent upon euery reasonable request & att the Cost & Charges in the Lawe of the said Marmaduke Seemes his heyres or Assignes doe make Acknowledge Execute & suffer or cause to be made done Acknowledged Executed and Suffered all such other Lawfull Act or Acts Conveyance or Conveyances of the p^{r}misses be itt by ffine ffeofm^{t} Inrolm^{t} of the p^{r}misses or any other lawfull manner of wayes whatsoeuer for the better & sure making of the p^{r}misses to the said Marmaduke Seemes his heyres & Assignes for euer as by the said Marmaduke Seemes his heyres or Assignes or his or their Councell learned in the Law shall be reasonably Devised or required In Testimony whereof he the said Andrew Woodbery hath hereunto putt his hand & Seale the day & yeare aboue written.

Liber M M

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Signed sealed & deł̄d in
the p^{r}sence of Jo^{n} Blomfield
Ro: Ellis.

Signed & Sealed by me
Peter Eure by the Ord^{r}
& Appointm^{t} of Andrew
Woodbery ⊕

ffebruary 23th 1674

The within written Deed was by the within named Peter Eure Attorney of the within named Andrew Woodbery Acknowledged to be his Act & Deed to the intents & purposes within named

before us
Wiłł Calvert
Tho: Truman

Liber M M Maryland ss

Bee itt knowne unto all men by these p^{r}sents That I Andrew Woodbery of Salem in New England Marrin^r haue made Ordained Constituted Authorized & Appointed & by these p^{r}sents doe make Ordaine Constitute Authorize & Appoint & in my stead & place by tthese p^{r}sents putt Peter Eure of S^t Maryes County my true sufficient & lawfull Attorney for me & to my use to giue peaceable & quiett possession & seisin of & in all that Messuage or Tenem^t & all & singuler the lands & p^{r}misses thereunto belonging with the rights members & Appurtennces scituate lying & being in Cecil County in the Province of Maryland com̄only called & knowne by the name of Midle Plantacōn containing by Estimacōn three hundred acres And further to make Signe Seale & deliver such Conveyance or Conveyances of the said land lately Bargained & Sould by me the said Andrew Woodbery unto Marmaduke Seemes of S^t Maryes County Inhold^r as to my said Attorney shall seem lawfull to be done in & about the p^{r}misses And the same possession soe giuen & Conveyances of the said land drawne & Acknowledged in open Court by my said p. 495 Attorney the said Land & p^{r}misses the said Marmaduke Seemes to detaine & keep To the only use & behoofe of him the said Marmaduke Seemes his heyres & Assignes according to the tenour & true meaning of the same Conveyances whereby the said p^{r}misses are Conveyed unto him the said Marmaduke Seemes Ratifying & Allowing & Confirming all & whatsoeuer my said Attorney shall lawfully doe or cause to be done in or about the p^{r}misses by these p^{r}sents In Wittnes whereof I haue hereunto sett my hand & Seale this: 15th day of ffebruary Annoq Dm 167$\frac{4}{5}$

Signed Sealed & del̄d in the p^{r}sence of Andrew Woodbery #
Jo^n Blomfield Geo Oldfield
23th ffebruary 1674

The aboue mencōned Letter of Attorney was proued before me
Wil̄l̄ Calvert

Maryland ss

Whereas by an Order of the Provinciall Court held att the City of S^t Maryes the: 8th day of Decemb^r 1674 in a Cause there depending betweene John Coode & Susanna his Wife p^{lts} & Gerard Sly Def^t touching the making Partition of the Plantacōn called Bushwood which the said John & Susanna in right of her the said Susanna and the said Gerard Sly together & vndevided doe hold by the Deuise of the last Will & Testam^t of Robert Sly Deceased late Husband of the said Susanna By which Will one Moiety of the said Plantacōn was Devised to her the said Susanna for & during the Terme of her naturall life And the other moiety to the said Gerard Sly & his heyres for euer And after the Decease of her the said Susanna, the whole Plantacōn with the Appurtenñces to Descend to him the said Gerard Sly & his heyres for euer Itt was Ordered that Particōn should be made betweene the said John Coode & Susanna his Wife & the said Gerard Sly of the said Plantacōn & tract of land & p^r^misses aforesaid And that a Writt of Partition should Issue out of the said Court directed to the sheriffe of S^t^ Maryes County That by the Oathes of 12 good & lawfull men of his Bailywick he should in the p^r^sence of both partyes if they would be there p^r^sent due respect being had to the value of the land the said Plantacōn & tract of land (Except the dwelling house of the said Plantacōn) in two equall partes caused to be parted & divided, and one parte thereof to the aforesaid John Coode & Susanna his Wife in right of the said Susanna And the other parte to him the said Gerard Sly To hold to them in severalty he cause to be Assigned & delivered Soe that the said John & Susanna nor the said Gerard haue more of the p^r^misses then vnto them Appertaines to haue In pursuance Of which Ord^r^ a Writt of Partition did accordingly Issue directed to the Sheriffe aforesaid But before the same was Executed the said parties came to a mutuall Agreement about the Division of the said Plantacōn in manner and forme following (that is to say) That the said John Coode and Susanna his wife & their Assignes shall from hence forth haue hold & peaceably Enjoy in severalty to them & their Assignes for & during the Terme of the naturall life of her the said Susanna for & in lieu of their Moiety or halfe parte of the Plantacōn tract of land & p^r^misses aforesaid the ancient dwelling house with the houses & Appurtenñces thereunto belonging standing att the East end of the Orchard of the said Plantacōn, the Stable standing att the back of the Garden Payles only Excepted And that the said John Coode & Susanna his Wife in right of her the said Susanna shall haue all that peece or tract of land belonging to the Plantacōn of Bushwood that lyes vpon the right hand of the path coming from the landing to the Orchard fence on the Westward of the said Orchard And all that parte of land belonging to the p^r^misses aforesaid that is on the right hand of the Swamp nexte adjoyning to the said Orchard on the South & from the head of the said Swamp within the said Orchard to the West Cowpen-gate, thence the direct road or path now used going round the land along to Bramly racehouse & then due East into the Woods soe farre as the said Plantacōn reacheth And further itt is Agreed That the said John Coode & Susanna his Wife in right of her the said Susanna during her naturall life as aforesaid shall haue all that parte of the Orchard belonging to the said Plantacōn with the Appurtenñces that lies on the Eastward of a line drawne from the Orchard fence on the North close by the East side of the store directly to the West end of the old Carpent^rs^ house & then directly through the Swamp to the fence on the South side of the said Orchard with free Ingressee egresse & regresse through the said Orchard to the said landing or Riuer

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Liber M M side And the said Gerard Sly his heyres & Assignes shall & may for euer hereafter hold & Enjoy all the rest & residue of the said Plantacōn & tract of land called Bushwood aforesaid, that is to say All that parte of the Orchard aforesaid from the line drawne from the said storehouse as aforesaid to the old Carpent^{rs} house & soe to the fence on the south side of the Swamp adjoyning to the Orchard aforesaid, to the fence on the West of the said Orchard with the p. 497 houses thereupon built And also all that pte Of the said Plantacōn lying on the North & North West side of the said land & path leading from the West Cowpen-gate to Bramly Race aforesaid, & so to the path leading from the said Orchard fence on the West to the landing on the Riuer side aforesaid with all the houses thereupon standing And the said Parties being willing that this their Agreement be Confirmed by Ord^{r} of this Court And that an Indenture of Partition be drawne accordingly Itt is therefore this p^{r}sent day by & with the Consent of the said Partyes p^{lts} & Def^{t} & their Attorneys in this Cause Ordered That the said Agreem^{t} made between the said Parties be hereby Ratifyed & Confirmed And that an Indenture of Partition be made and Executed between the said Partyes according to the meetes & bounds aforesaid, & the true intent & meaning of the said Parties in the Agreement aforesaid To hold in severalty for & during the terme of the naturall life of the said Susanna as aforesaid And noe advantage hereafter is to be taken by either Party of any Error in the proceedings in the cause aforesaid Provided allwayes & itt is the true intent & meaning of all the Partyes to these p^{r}sents That the said John Coode & Susanna his Wife shall for & during the Terme aforesaid haue hold & Enjoy the old garden plott payled in by the West Cowpen gate, And shall & may haue full & free liberty of fishing or fowling in or vpon any part of the said Plantacōn or Creek thereunto belonging And in case the said John Coode & Susanna his wife shall not haue soe many apple trees in the Orchard in their parte devided That then the said Gerard Sly shall deliuer to the said John Coode & Susanna his wife vpon reasonable request soe many plantable Apple trees as will make vpp the equall number now growing upon the parte divided for the said Gerard Sly Any thing contained hereing notwithstanding In Testimony whereof the Parties aboue named haue hereunto putt their hands & Seales dated the Thirteenth day of January in the: 43th Yeare of the Dominion of the Right Hon^{ble} Caecilius &c ouer this Province & in the Yeare of o^{r} Lord 1674

Signed Sealed & delđ in p^{r}sence of John Coode #
Tho: Notley Ro: Carvile Susanna Coode #
Tho: Lomax John Peerce Gerard Slye #
ffebruary 23th 1674.

The aforegoeing Deed was by Consent of the Attornyes of both Sides by Ord^{r} of Court to be recorded.

Jn^{o} Blomfeild Cł Cur.

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M^r^ Carvile and M^r^ Ridgely

These few lines may Certifie you both that Godfrey and I are agreed concerning Our Land and the buisnesse is fully ended & determined Therefore Wee desire and joyntly consent that you cause all further proceedings in Court to cease & the Suite to fall likewise Wee desire you to send Us up an accompt of the costs of Suite Severally for Wee each of Us pay Our Own charges no more at present but the tender of Our humble Service to you both from both

Your humble Servants
Thomas Crocker (seale)
Geo: Godfrey (sealed)

John Quigley agt Robert Proctor — Robert Proctor late of Ann Arrundell County otherwise called Robert Proctor of the County of Ann Arundell Inholder was Sumoned to answer unto John Quigley in a plea that he render unto him the summe of nineteene thousand nine hundred and twelve pounds of tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said John Quigley by Kenelm Cheseldyn his Attorny Saith that whereas the said Robert the twenty eighth day of August in the 43th yeare of the Dominion of Caecilius Annoq Dom̃ One thousand six hundred Seventy foure by his certaine writeing obligatory Sealed with the Seale of the Said Robert here in Court produced whose date is the same day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto John Quigley of the County of S^t^ Maries merchant in the full & just Summe of nineteen thousand nine hundred and twelve pounds of good and Sound merchantable tobacco in caske to be paid unto the said John Quigley or to his certaine Attorny his heirs executors adm^rs^ at some convenient place or places in the County of Ann Arundell aforesaid upon all demands after the date thereof To the which payment well and truly to be made he did bind himselfe his heirs executors and administrators firmly by those p^r^sents notwithstanding which the Said Robert Proctor the said summe of nineteen thousand nine hundred and twelve pounds of tobacco to him the said John according to the tenor of his said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and Still doth altogether deny to the damage of the said John Quigley the sum̃e of thirty thousand pounds of tobacco and thereupon he bringeth his suite.

And the said Robert Proctor in his proper person cometh & defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also heareing of the Condition of the said writeing Obligatory and it is read unto him in these words The Condition of this Obligation is Such that if

Liber M M the abovebound Robert Proctor his heirs executors or administrat^{rs} shall well and truly pay or cause to be paid unto the aforesaid John Quigley or unto his heirs execut^{rs} or adm^{rs} the full and just Summe of nine thousand nine hundred fifty Six pounds of good and Sound merchantable tobacco and caske to be paid at some convenient place or places in the County of Ann Arrundell upon all demands after the date hereof That then this present Obligation to be void and of none effect or otherwise Stand and remaine in full power force and virtue. which being read and heard. &c

Now here at this day to wit the twelfth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c Annoq̧ Dom̄ One thousand p. 499 Six hundred Seventy foure Came the said Robert Proctor in his proper person and Saith nothing in barre or avoidance of the action aforesaid of him the Said John Quigley whereupon the said John remaineth against the said Robert thereof undefended Therefore it is considered by the Court here that the said John Quigley recover against the Said Robert Proctor aswell the said sum̄e of nine thousand nine hundred fifty Six pounds of tobacco the debt aforesaid as also the Summe of five hundred & Sixteene pounds of tobacco for his costs and charges in this behalfe laid Out and expended But So as execution thereof cease untill the tenth day of October next.

Anthony Male
ag^t
William Worgan

William Worgan late of Dorchester County otherwise called William Worgan of Dorchester County in the Province of Maryland Inholder was Sumoned to answer Anthony Male of Talbot County in the aforesaid Province Planter in a plea that he render unto him foure thousand three hundred pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the said Anthony by Vincent Lowe his Attorny complaineth and Saith that whereas the said William On the five and twentith day of October Anno Dom̄ One thousand Six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of the Said William here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executors adm^{rs} or assignes to pay or cause to be well and truly paid unto the said Anthony Male his heirs executors administrators or assignes the full and just Summe of foure thousand three hundred pounds of tobacco in casque upon demand in some convenient place in Talbott County Yet notwithstanding the aforesaid sum̄e of foure thousand three hundred pounds of tobacco the said William to him the said Anthony hath not paid according to the tenor of his said bill but the same to pay doth altogether deny and refuse whereupon the said Anthony Saith he is dampnified and hath losse to the value of five thousand pounds of tobacco And thereupon he bringeth his Suite.

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And the said William by Kenelm Cheseldyn his Attorny Cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court the same day is given to both parties.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Anthony by his Attorny aforesaid and Offered himselfe against the said William in the plea aforesaid But the said William came not but made default Therefore it is Considered by the Court here that the said Anthony recover against the said William aswell the said Sum̄e of foure thousand three hundred pounds of tobacco as also the sum̄e of five hundred fifty Six pounds of tobacco costs of Suite.

Christopher Batson
agt
John Stephens

John Stephens of Great Choptanck in the County of Dorchester was attached to answer Christopher Batson in a plea of trespas upon the case. p. 500

Whereupon the Said Christopher by Vincent his Attorny complaineth that whereas he the said Christopher being imported into this Province and Sold to the aforesaid John Stephens as a Servant for the Space of foure yeares as doth and may appeare by the Indenture which he the said Christopher brought in with him and haveing well and faithfully Served him the said John according to the time Specified and exprest in the aforesaid Indenture he the Said Christopher was Sett free at a Provinciall Court held April the eighth in the yeare One thousand Six hundred Seventy three as doth appeare upon Record Yet notwithstanding the said John Stephens well Knowing that he the Said Christopher had well and truly Served his time deteines him the said Christopher eight months Over & above the time he the said Christopher was to Serve according to the aforesaid Indenture and likewise he the said John denyes him the said Christopher his freedom Corne and Cloathes Vizt three barrells of Corne One Suite of Cloathes One Shirt One paire of hose One paire of Shoes two hoes One Axe though often thereunto required whereupon the Said Christopher Saith he is dampnified and hath losse to the value of foure thousand pounds of tobacco And thereupon he brings his suite.

And the Said John Stephens by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and the said John Stephens Saith that he the Said John the said Christopher Batson of Abell London Marriner as a Comōn Servant bought to Serve him the Said John according to the Custome of the Country and the Said Christopher the third day of December 1672 petitioned the County Court of Dorchester County for his freedome the said Court did adjudge the Said Christopher to Serve five yeares And the Said John further Saith that the Said Christopher

Liber M M the tenth day of April One thousand Six hundred Seventy three petitioning the Provinciall Court in the absence of the Said John was by the Said Court Sett free But the Said John Saith that by the Said Indenture the Said Christopher Ought not to be free for that he Saith the Same is not the Act and Deed of the Said Abell London and this he prayes may be enquired off by the Country and the Said Christopher likewise Therefore Comãnd is given to the Sheriff of St Maries County that he cause to come here twelve &c who neither &c by whom &c to recognize &c because aswell &c.

Now here at this day to wit the thirtenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoq̃ Dom̃ 1674 Came the said Christopher by his Attorny and the Said John by his Attorny and the jurors of that jury came likewise to wit Roger Baker Thomas Bowdle John Burage John Garnish James Veitch Justinian Gerard John Gittings Cornelius Watkinson Wm Watts Walter Hall Robert Proctor and James Bowling who being impannelled Sumõned and sworne to say the truth in the premisses upon their Oathes doe say Wee find for the plaintiff Therefore it is considered by the Court here that the said Christopher recover against the Said John Stephens the summe of foure hundred and
p. 501 fifty pounds of tobacco for his Corne, and his Cloathes hoes and axe in Kind as also the summe of nine hundred & twenty pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said John Stephens in mercy.

Robert Wells agt Hance Hanson	Hance Hanson late of Kent County otherwise called Hance Hanson of Kent County in Maryland was Sumõned to answer unto Robert Wells in a plea that he render unto him the Summe of Eight hundred pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the Said Robert by Kenelm Cheseldyn his Attorny Saith that whereas the said Hance Hanson the Sixtenth day of September in the yeare One thousand Six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of the said Hance here in Court produced whose date is the Same day and yeare abovewritten did Oblige himselfe to pay or cause to be paid unto Robert Wells of the place aforesaid the full and just Summe of Eight hundred pounds of tobacco in caske On the tenth day of October next ensueing the date thereof to be paid upon the Plantation of John Wells notwithstanding which the said Hance the said Summe of Eight hundred pounds of tobacco to him the said Robert though often thereunto required the said summe of Eight hundred pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid though often there unto required but the Same to pay hitherto hath and Still doth deny to the damage of the said

Robert Sixteen hundred pounds of tobacco and thereupon he bring- Liber M M
eth his suite.

And the Said Hance by Mathew Warde his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court the Same day is given to both parties.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Hance and Offered himselfe against the said Robert in the plea aforesaid but the said Robert Came not to prosecute his action aforesaid Therefore it is considered by the Court here That the Said Hance recover against the Said Robert Wells the summe of Seven hundred and eighty pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Robert in mercy for his false claime.

Tobias Wells
agt
John Wright & ux:

Whereas at a Provinciall Court held at St Maries the fifth day of June One thousand Six hundred Sixty eight Tobias Wells recovered against John Wright and Mary his wife administratrix of Bartholomew Glevin the summe of Six hundred and Sixty pounds of tobacco for his costs and charges expended in a certaine Suite then depending betweene the said John Wright & Mary his wife administratrix of the Goods and chattells of Bartholomew Glevin deceased plaintiffs & the said Tobias Wells deft for which said summe execution
is not yet issued Therefore Comānd was given to the Sheriff of p. 502
Kent County that he make Knowne to the said John and Mary that they be and appeare here the eighth day of December now last past which said Provincial Court to be holden On the said eighth day of December was by his Lop̄ps writt of adjournment adjourned untill the ninth day of the same December Att which said ninth day December the Same Sheriff maketh returne of his writt aforesaid endorsed I have sum̄oned the within named as I am by this writt required And the said John and Mary by Kenelm Cheseldyn their Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the Same day is given to both parties.

Now here at this day to witt the fiftenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Annoqȝ Dom̄ One thousand Six hundred Seventy foure Came the Said Tobias by Robert Carvile his Attorny but the said John and Mary came not but made default Therefore it is considered of by the Court here that execution issue against the said John and Mary aswell for the said summe of Six hundred and Sixty pounds of tobacco as also the summe of five hundred twenty three pounds of tobacco for his costs and charges in this behalfe now expended and laid Out.

Liber M M Thomas Warner ag^{t} Cornelius Cornehil

Cornelius Cornehil late of S^{t} Maries County planter otherwise called Cornelius Cornehil planter was Sumōned to answer unto Thomas Warner of a plea that he render unto him the summe of two thousand foure hundred pounds of good Sound merchantable leafe tobacco and caske which to him he oweth and unjustly deteineth

And whereupon the Said Thomas by Robert Ridgely his Attorny Saith that whereas the Said Cornelius the foure and twentith day of August in the 43th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1674 by his certaine writeing Obligatory Sealed with the Seale of him the Said Cornelius and here in Court produced whose date is the day and yeare abovesaid did bind himselfe his heirs executors adm^{rs} or assignes to pay or cause to be paid unto the said Thomas the full and just Summe of two thousand foure hundred pounds of good Sound merchantable leafe tobacco in casque at or upon the tenth day of October next ensueing the date thereof and to the true performance thereof the said Cornelius did there unto sett his hand and Seale the which tobacco to be paid within halfe a mile of Wiccocomoco River Notwithstanding which the said Cornelius the said Summe of two thousand foure hundred pounds of tobacco according to the Tenor of the said writeing Obligatory hath not paid though often demanded but the same to pay hath denyed and as yet doth deny to the damage of the said Thomas two thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Cornelius by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that the said Thomas his action aforesaid against him Ought not to have because he Saith y^{t} the said Thomas Wardner upon the said foure & twentith day of August aforesaid did Covenant and agree that he the said Thomas and his wife would betweene the day of the date of the said writeing obligatory and the last day of October then next Signe Seale & deliver unto the said Cornelius good and lawfull conveyances
p. 503 for a parcell of Land lyeing and being in S^{t} Maries County called by the name of Warners desire and lyeing upon the east side of Wiccocomocco Maine ffresh as being laid Out for fifty acres more or lesse in consideration whereof the Said Cornelius did upon the Said foure and twentith day of August aforesaid Seale and deliver the writeing Obligatory aforesaid to the said Thomas And the Said Cornelius further Saith that he did upon the tenth day of October and at Severall dayes and times Since and before the issueing Out the said Originall writ did tender & was and is still ready to pay unto him the Said Thomas the Said Summe of two thousand foure hundred pounds of tobacco So as the said Thomas would make unto him a good assurance of the Said Land which he hath not hitherto done

nor can doe and this he is ready to averre and thereupon he demands judgment if the said Thomas his action aforesaid against him Ought to have. &c.

And the Said Thomas Saith that the plea of him the Said Cornelius by him in forme aforesaid pleaded that that plea & the matter therein conteined are not sufficient in Law to hinder the said Thomas from haveing his action aforesaid against the said Cornelius and that that plea in manner & forme aforesaid pleaded the said Thomas needeth not nor by the Law of the Land is bound to answer and this he is ready to averre wherefore for want of a Sufficient plea the Said Thomas demands judgment and according to the forme of the Statute for Demurrers Sheweth these causes following ffirst that the plea of the Said Cornelius hath relation to the sale of a certaine parcell of Land of which no mention is made in the said writeing Obligatory.

Secondly The Said writeing Obligatory is Only for two thousand foure hundred pounds of tobacco debt due from the Said Cornelius to him the said Thomas without any consideration and for the payment thereof hath bound himselfe his heirs executors adm^rs & assignes and there is no condition in the said writing Obligatory whereby the said Cornelius the plea aforesaid can mainteine Thirdly in the Said plea it is Said that the Said Thomas upon the said foure and twentith day of August in the yeare aforesaid did covenant & agree to deliver unto the said Cornelius good and lawfull conveyances from the Said Thomas and his wife for the said parcell of land by which it manifestly appeares that the Said Cornelius is releivable by his action of Convenant or Other action by him to be commenced against the said Thomas and not by pleading that plea in barre as aforesaid.

Which being read and heard and by his Lopp̄s justices here to witt at the Citty of S^t Maries the fiftenth day of ffebruary in the 43^th yeare of his Lopp̄s Dominion &c fully understood It is considered of by the Court here that the said Thomas Warner recover against the said Cornelius the said summe of two thousand foure hundred pounds of tobacco the debt aforesaid as also the summe of five hundred & eighty pounds of tobacco for his costs and charges in this behalfe laid Out and expended. and the said Cornelius in mercy.

Garret Vansweringen
ag^t
William Baker

William Baker late of S^t Maries County otherwise called W^m Baker of the County of S^t Maries in the Province of Maryland was Summoned to answer unto Garrett Vansweringen in a plea that he render unto him the summe of two thousand Seven hundred and ninty pounds of tobacco which to him he oweth and unjustly deteineth

Liber M M And whereupon the Said Garret Vansweringen by Kenelm Cheseldyn his Attorny Saith that whereas the said William Baker the two p. 504 and twentith day of June in the yeare One thousand Six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of the said William here in Court produced whose date is the Same day and yeare abovewritten did acknowledge himselfe holden and firmly bounden unto Gerard Vansweringen of the County of S^{t} Maries in the Province aforesaid in the full quantity of two thousand Seven hundred and ninty pounds of good Sound merchantable tobacco in caske for a Valuable consideration already received to be paid unto the said Gerarett or to his certaine Attorny his heirs executors adm^{rs} or assignes convenient in the County aforesaid On demand to the which payment well and truly to be made he did bind himselfe his heirs executors adm^{rs} firmly by those p^{r}sents. Notwithstanding which the said William Baker the said Summe of two thousand Seven hundred and ninty pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Garrett Vansweringen the summe of three thousand pounds of tobacco And thereupon he bringeth his suite.

And the Said William Baker by Robert Ridgely his Attorny cometh & defendeth the force and injury whęn &c and prayeth liberty to imparle here untill the next Provinciall Court and the same day is given to both parties here.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Annoq̃ Dom̃ 1674 Came the Said Garret Vansweringen and offered himselfe against the said William Baker in the plea aforesaid but the said William came not but made default Therefore it is considered of by the Court here that the Said Garret recover against the said William Baker the said summe of two thousand Seven hundred and ninty pounds of tobacco the debt aforesaid as also the summe of five hundred & ten pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said W^{m} in mercy

Gerard Slye ag^{t} Richard Boughton	Richard Boughton late of Ann Arundell County otherwise called Richard Boughton of Charles County in the Province of Maryland Gent was Sumōned to answer unto Gerard Slye merchant in a plea that he render unto him nineteene hundred twenty eight pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the said Gerard by Robert Carvile his Attorny Saith that whereas the Said Richard upon the first day of August in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine bill or writeing Obligatory Sealed with the Seale of him the said Richard and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to owe and Stand indebted to the said Gerard Slye in the just summe of nineteene hundred twenty eight pounds of good sound bright merchantable tobacco & caske to be paid to the said Gerard in Some convenient place about Portobacco at or before the tenth day of October next ensueing the date of the said bill Yet Notwithstanding the said Richard the said summe of nineteene hundred twenty eight pounds of tobacco to him the said Gerard according to the said bill though often thereunto requested hath not satisfied or paid but the same to pay hath hitherto denyed and refused and Still doth deny to pay the same to the damage of the Said Gerard two thousand two hundred pounds of tobacco And thereupon he bringeth his suite. Liber M M p. 505

Now here at this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c Annoꝗ Dom̄ One thousand Six hundred Seventy foure came the said Richard by Robert Ridgely his Attorny and Saith nothing in barre or avoidance of the action aforesaid of him the said Gerard whereupon the said Gerard remaineth against the said Richard thereof wholly undefended Therefore it is considered by the Court here that the said Gerard recover against the said Richard aswell the said summe of nineteene hundred twenty eight pounds of tobacco the debt aforesaid as also the sum̄e of five hundred thirty Six pounds of tobacco for his costs and charges in this behalfe expended & laid Out and the said Richard in mercy So as execution be Stayed untill the tenth of November next.

Lydia Solley Admrx
Benja Solly
agt
Richard Boughton

Richard Boughton late of Ann Arrundell County otherwise called Richard Boughton of Charles County in Maryland was Sum̄oned to answer unto Lydia Solly administratrix of the goods and Chattells of Benjamin Solley deceased of a plea that he render unto her One thousand & fifty pounds of tobacco which from her he unjustly deteineth.

And whereupon the said Lydia by Robert Carvile her Attorny Saith that whereas the said Richard upon the fourth day of April in the yeare of Our Lord One thousand Six hundred Seventy two by his certaine bill or writeing Obligatory Sealed with the seale of him the Said Richard and here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to Owe and Stand indebted unto the Said Benjamin the full and just quantity of One thousand & fifty pounds of good Sound merchantable tobacco in caske to be paid to the Said Benjamin his executrs admrs or assignes at or upon all demands with conveniency Yet notwithstanding the said Richard the said summe of One thou-

Liber M M sand & fifty pounds of tobacco to him the said Benjamin in his life time nor to the said Lydia since his death though often thereunto requested hath not paid or satisfied but the same to pay and Satisfie hath hitherto denyed and as yet doth deny to the damage of the said Lydia sixteene hundred pounds of tobacco & thereupon she bringeth her suite.

And she bringeth here in Court her letters of administration of the goods and Chattells of the Said Benjamin whereby it may Sufficiently appeare to the Court here that she hath right to administration &c.

Now here at this day to wit the thirtenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion & Annoqꝫ Dom̄ 1674 came the said Richard by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c & saith nothing in barr or avoidance of the action aforesaid of her the Said Lydia whereupon the said Lydia remaineth against the said Richard thereof wholly undefended therefore it is considered of by the Court here that the said Lydia Solly recover against the said Richard Boughton aswell the said summe of One thousand & fifty pounds of tobacco the debt aforesaid as also the summe of five hundred thirty Six pounds of tobacco for her costs & charges in this behalfe laid Out and the said Richard in mercy. But so as execution thereof Stay untill the tenth day of November next.

Mr Ridgely

I doe hereby request and impower you to confesse judgmt for me to Gerard Slye in a plea of debt for 1928 ŧ of tobacco due from me to him & depending this Provinciall Court of the ninth of ffebruary 1674 provided the plaintiff will not issue execution before the 10th of November next ensueing Wittnes my hand & seale this 11th of ffebruary 1674. Ri: Boughton (Sealed)

I likewise impower you to confesse judgment in a cause depending agt me in the same Court at the suite of Lydia Solly widdow On the same Condition.

p. 506 To all Christian People to whom these presents shall Come I Charles Calvert Esqꝫ Capt Generall and Governour of Maryland Send Greeting in Our Lord God everlasting Whereas William Dorrington of Dorchester County in the Province of Maryland Gent did stand bound to me in One bond or obligation for the payment of nine thousand six hundred pounds of tobacco being due to be paid by agreement for two parcells of Land escheated to the Right Honble the Lord Proprietary One of which said parcells is called Johnson Holland lyeing in Leonards Creeke and the other called Island Neck lyeing in Island Creeke As also in the summe of three pounds Sterling due upon other accompts Now Know yee That I the Said Charles Calvert doe confesse and acknowledge my Selfe to

have received of and from the Said William Dorrington the Said Liber M M
Severall Summes of nine thousand Six hundred pounds of tobacco and three pounds Sterling and I doe by these presents for me my heirs execut^{rs} and adm^{rs} remise release and for ever quittclaime and discharge him the said William Dorrington his heirs executors & adm^{rs} of and from all and all manner of bills bonds suites actions trespasses claimes and demands whatsoever from the beginning of the world to the day of the date hereof In Testimony whereof I have hereunto sett my hand and Seale this twelfth day of ffebruary in the yeare of Our Lord 1674. Charles Calvert (Sealed)

Sealed and delivered in
the presence of,
Philip Calvert.
Jn^{o} Darnall.

John Beale & ux ag^{t} John Allen

John Allen late of Charles County in the Province of Maryland merchant was Sumoned to answer unto John Beale and Jone his wife in a plea that He render unto them the summe of foure thousand pounds of tobacco which to them he oweth and unjustly deteineth

And whereupon the said John Beale and Jone his wife by Kenelm Cheseldyn their Attorny Saith that whereas the said John Allen the twentith day of July in the yeare One thousand Six hundred Seventy foure did by his certaine writeing Obligatory Sealed with the Seale of the Said John Allen here in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs executors and administrators to pay or cause to be paid to the said Jone while she was Sole of Calvert County in the Province aforesaid her heirs executors adm^{rs} the full and just quantity of foure thousand pounds of good Sound and well cured merchantable tobacco in caske to be paid at or before the tenth day of October next after the date thereof Notwithstanding which the said John Allen the said Summe of foure thousand pounds of tobacco according to the tenor of his said writeing Obligatory to her the said Jone while she was Sole nor to the said John and Joane Since espousalls between them celebrated though often thereunto required hath not paid but the same to them to pay hitherto hath and Still doth altogether deny to the damage of them the said John and Joane the summe of five thousand pounds of tobacco And thereupon they bring their Suite.

And the said John Allen by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of p. 507
Speakeing hereunto untill next Provinciall Court the same day is given to both parties

Att which Said next Provinciall Court to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ One thousand Six hundred Seventy foure came the

Liber M M said John Beale by his Attorny aforesaid and Offered himselfe against the said John Allen in the plea aforesaid but the said John Allen came not but made default Therefore it is considered by the Court here that the said John Beale recover against the said John Allen aswell the summe of foure thousand pounds of tobacco the debt aforesaid as also the summe of five hundred fifty two pounds of tobacco for his costs and charges in this behalfe laid Out & expended and the Said John Allen in mercy.

John England
ag^{t}
Edward Maddock

Edward Maddock late of Charles County otherwise called Edward Maddock of Charles County Doctor was Sumōned to answer unto John England in a plea that he render unto him the Summe of eight hundred and three pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said John England by Kenelm Cheseldyn his Attorny Saith that whereas the Said Edward Maddock the foure and twentith day of May in the yeare One thousand Six hundred Sixty nine did by his certaine writeing Obligatory Sealed with the Seale of the Said Edward here in Court produced whose date is the same day and yeare above written bind himselfe his heirs executors and administrators to pay or cause to be paid unto John England of the City of Bristoll Marriner his lawfull Attorny his heirs executors administrators or assignes the just and full quantity of five hundred Sixty three pounds of good sound merchantable tobacco and caske to containe the Same at Some convenient place in Charles County abovesaid And whereas also the said Edward the sixth day of March in the yeare One thousand Six hundred and Seventy did by his certaine other writeing Obligatory Sealed with the Seale of the said Edward Maddock here also in Court produced whose date is the same day and yeare last abovewritten acknowledge himselfe to Owe and Stand indebted unto John England of the Citty of Bristoll marriner the full and just quantity of two hundred and forty pounds of good sound merchantable tobacco in caske to containe the same to be paid upon his Owne Plantation he now lives at or upon the tenth day of October next ensueing the date thereof to the which payment well & truly to be made and done he did bind himselfe his heirs executors adm^{rs} firmly by those presents unto the said John England his lawfull Attorny his heirs executors adm^{rs} & assignes Notwithstanding which the said Edward the said summe of five hundred Sixty three pounds of tobacco nor the said summe of two hundred and forty pounds of tobacco in the whole amounting to the summe of eight hundred & three pounds of tobacco according to the tenor of his said Severall Obligations hath not paid though often thereunto required to him the said John but the same to pay hitherto hath & Still doth altogether deny to the damage of the said John the summe of Sixteene hundred pounds of tobacco And thereupon he bringeth his Suite. And the said Edward Maddock by Samuel Cressey his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court the Same day is given to both parties here Liber M M p. 508

Att which Said next Provinciall Court to wit the fiftenth day of ffebruary in the 43th yeare of his Lo̅pps Dominion &c Came the said John England by his Attorny aforesaid but the said Edward came not but made default therefore it is considered of by the Court here that the said John England recover against the said Edward Maddock the summe of Eight hundred and three pounds of tobacco the debt aforesaid as also the summe of five hundred fifty two pounds of tobacco for his costs and charges in this behalfe laid Out and disbursed and the said Edward in mercy &c

Samuel Clarke & Jn° England
agt
Thomas Galey & ux: executrx
Jn° Lewger

Thomas Galey and Martha his wife Executrix of the last will and Testament of John Lewger deceased were Sumōned to answer unto Samuel Clarke and John England in a plea that they render unto them the summe of One thousand Seven hundred eighty five pounds of tobacco which from them they unjustly detaine.

And whereupon the Said Samuel and John by Kenelm Cheseldyn their Attorny Saith that whereas the said John Lewger in his life time to wit the ninetenth day of May in the yeare One thousand Six hundred Sixty nine did by his certaine writeing Obligatory Sealed with the seale of the said John Lewger here in Court produced whose date is the same day and yeare abovewritten bind himselfe his heirs executors admrs to pay or cause to be paid to Samuel Clarke and John England both of the Citty of Bristoll their heirs executrs admrs or assignes or either of them their lawfull Attorny executors admrs or assignes the just and full quantity of One thousand Seven hundred eighty five pounds of good Sound merchantable tobacco with caske to containe the same at some convenient place in Charles County abovesaid at or upon the tenth day of October next ensueing the date thereof. Notwithstanding which the said John Lewger in his life time nor the said Martha while she was Sole executrix of the last will & Testament of the said John nor the said Thomas and Martha Since Espousalls the said sum̃e of One thousand Seven hundred eighty five pounds of tobacco to them the said Samuel and John though often thereunto required have not paid according to the tenor of the Said writeing Obligatory but the Same to them to pay hitherto have and Still doe altogether deny to the damage of the said Samuel and John the summe of two thousand five hundred pounds of tobacco and thereupon they bring their Suite.

Liber M M And the said Thomas and Martha by Robert Ridgely their Attorny come and defend the force and injury when &c and pray liberty to imparle here until next Provinciall Court, the same day is given to both parties.

At which said next Provinciall Court to wit the fiftenth day of ffebruary in the 43th yeare of his Lōpps Dominion &c came the said Samuel and John by their Attorny aforesaid but the said Thomas and Martha came not but made default Therefore it is considered by the Court here that the said Samuel Clarke and John England p. 509 recover against the said Thomas Galey and Martha his wife executrix as aforesaid aswell the summe of One thousand seven hundred eighty five pounds of tobacco the debt aforesaid as also the summe of five hundred fifty two pounds of tobacco for their costs and charges in this behalfe laid Out and expended.

Samuel Cooke
ag^{t}
John Allen

John Allen late of Charles County otherwise called John Allen of Charles County in the Province of Maryland Gent was Sumōned to answer unto Samuel Cooke in a plea that he render unto him the summe of eight thousand twenty foure pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said Samuel by Kenelm Cheseldyn his Attorny Saith that whereas the said John Allen the,One and thirtith day of March in the yeare One thousand six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of the said John here in Court produced whose date is the same day and yeare abovewritten did acknowledge himselfe to owe and Stand indebted unto the Said Samuel Cooke of London marriner in the full and just summe of eight thousand twenty foure pounds of Sound merchantable leafe tobacco and caske to be paid the said Samuel his heirs assignes or certaine Attorny conveniently in Charles County aforesaid On or before the tenth day of November next ensueing after the date thereof to the which payment well and truly to be made he did bind himselfe his heirs executors and administrators and every of them by these presents Notwithstanding which the said John Allen the Said Summe of Eight thousand twenty foure thousand pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid to him the said Samuel Cooke though often thereunto required but the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Samuel the summe of ten thousand pounds of tobacco and thereupon he bringeth his suite.

And the Said John Allen by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the same day is given to both parties here.

Now here at this day to wit the fiftenth day of ffebruary in the

43th yeare of his Lopps Dominion &c came the Said Samuel by Kenelm Cheseldyn his Attorny and offered himselfe against the said John Allen in the plea aforesaid and the said John by Robert Carvile his Attorny likewise came and Saith nothing in barre or avoidance of the action aforesd of him the said Samuel whereupon the Said Samuel remaineth against the said John as to the said summe of eight thousand twenty foure pounds of tobacco wholly undefended therefore it is considered of by the Court here that the said Samuel recover against the said John Allen aswell the summe of Eight thousand twenty foure pounds of tobacco the debt aforesaid as also the summe of five hundred fifty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said John in mercy. **Liber M M**

Miles Cooke agt John Allen } John Allen late of Charles County otherwise called John Allen of Charles County and Province of Maryland merchant was Sumoned to answer unto Miles Cooke in a plea that he render unto him the sume of twelve thousand two hundred fifty and three pounds of tobacco which to him he oweth and unjustly deteineth. **p. 510**

And whereupon the Said Miles Cooke by Kenelm Cheseldyn his Attorny Saith that whereas the said John Allen the Second day of July in the yeare of Our Lord One thousand six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of the Said John Allen here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executors administrators and assignes to pay or cause to be paid unto Capt Miles Cooke of the Citty of London marriner his heirs executors admrs and assignes the just and intire quantity of twelve thousand two hundred fifty and three pounds of Sound merchantable leafe tobacco with caske to be paid to the said Captaine Miles Cooke his heirs executors or assignes at on or before the tenth day of November next ensueing conveniently in Wiccocomoco River or Portobacco to the true performance whereof he did bind himselfe his heirs executors admrs and assignes firmly by those presents Notwithstanding which the said John Allen the said Summe of twelve thousand two hundred fifty and three pounds of tobacco according to the tenor of his Said writeing Obligatory hath not paid to him the Said Miles though often thereunto required but the same to him to pay hitherto hath and Still doth altogether deny to the damage of the said Miles Cooke the summe of fourteene thousand pounds of tobacco And thereupon he bringeth his Suite.

And the said John Allen by Robert Carvile his Attorny cometh & defendeth the force and injury when &ct and prayeth liberty to imparle here untill the next Provinciall Court the same day is given to both parties here.

Liber M M Now here at this day to wit the fifteenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoq₃ Dom̄ One thousand Six hundred Seventy foure came the said Miles Cooke by his Attorny aforesaid and the said John Allen by his Attorny came likewise and the said John Allen Saith nothing in barre or avoidance of the action aforesaid of him the said Miles Cooke whereupon the said Miles remaineth against the said John thereof undefended therefore it is considered by the Court here that the said Miles Cooke recover against the said John Allen aswell the summe of twelve thousand two hundred fifty three pounds of tobacco the debt aforesaid as also the Summe of five hundred fifty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended. and the said John Allen in mercy.

Kenelm Cheseldyn agt John Balley } John Balley late of St Maries County otherwise called John Balley of St Maries County was Sumōned to answer unto Kenelm Cheseldyn One of the Attornyes of this Court according to the libertyes and priviledges &c in a plea that he render unto him the sume of Six hundred pounds of tobacco which to him he Oweth and unjustly deteineth.

And whereupon the said Kenelm in his proper person Saith that whereas the Said John Balley the eight and twentith day of ffebruary in the yeare One thousand Six hundred Seventy three did by his certaine writeing obligatory Sealed with the Seale of the Said John and here in Court produced whose date is the same day and yeare abovewritten acknowledge himselfe to owe and Stand indebted unto the said Kenelm Cheseldyn of the Citty of St Maries the summe of Six hundred pounds of tobacco payable upon demand Notwithstanding which the said John Balley the said Summe of Six hundred pounds of tobacco hath not paid according to the tenor of his said writeing Obligatory though often thereunto required but the same to pay hitherto hath and Still doth deny to the damage of the Said p. 511 Kenelm the summe of Sixteene hundred pounds of tobacco and thereupon he bringeth his Suite.

And the said John Balley in his proper person in the Custody of the Sheriff of St Maries County cometh and defendeth the force and injury when &c and prayeth liberty to imparle here untill the next Provinciall Court and the same day is given to both parties.

Now here at this day to wit the fifteenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Kenelm in his proper person and offered himselfe against the said John in the plea aforesaid and the said John in his proper person as aforesaid likewise came and the said John Saith nothing in barre or avoidance of the action aforesaid of him the said Kenelm whereupon the said

Kenelm remaineth against the said John as to the said summe of Six hundred pounds of tobacco wholly undefended Therefore it is considered of by the Court here that the Said Kenelm recover against the said John Balley aswell the said Summe of Six hundred pounds of tobacco the debt aforesaid as also the summe of Seaven hundred pounds of tobacco for his costs & charges in this behalfe laid Out and expended and the said John in mercy. Liber M M

Thomas Chapman agt Robert Downes } Robert Downes late of Charles County otherwise called Robert Downes of Charles County in the Province of Maryland planter was Sumoned to answer unto Thomas Chapman in a plea that he render unto him the sume of two thousand foure hundred pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said Thomas by Kenelm Cheseldyn his Attorny Saith that whereas the Said Robert Downes the thirtenth day of July in the yeare of Our Lord One thousand Six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of him the Said Robert here in Court produced whose date is the same day and yeare abovewritten did bind himselfe his heirs executors administrators and assignes for to pay or cause to be paid unto Mr Thomas Chapman of Liverpoole merchant to him his heirs executors administrators or assignes or certaine Attorny the full and just Sume or quantity of two thousand foure hundred pounds of good Sound merchantable tobacco and casque to containe the same to be paid upon demand upon the then dwelling plantation at the mouth of Nangemy Creeke Notwithstanding which the said Robert the said summe of two thousand foure hundred pounds of tobacco though often thereunto required hath not paid but the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Thomas three thousand five hundred pounds of tobacco And thereupon he bringth his Suite.

And the said Robert by Samuel Cressey his Attorney cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court the same day is given to both parties.

At which said next Provinciall Court to wit the fiftenth day of ffebruary in the 43th yeare of his Lopps Dominion &c came the said Thomas Chapman by his Attorny aforesaid but the said Robert Downes Came not but made default therefore it is considered by the Court here that the said Thomas recover against the said Robert the said summe of two thousand foure hundred pounds tobacco the debt aforesaid as also the Summe of pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said Robert in mercy. p. 512

Liber M M

John Quigley
agt
John Baker

John Baker late of St Maries Citty in the County of St Maries was attached to answer unto John Quigley in a plea of trespas upon the case

And whereupon the Said John Quigley by Kenelm Cheseldyn his Attorny complaineth that whereas the said John Baker Stands indebted to the said John Quigley for divers goods and merchandizes Sold and delivered unto the said John Baker as also for Severall Summes of tobacco disbursed and paid upon the accompt of the Said John Baker unto Severall persons at divers dayes and times to wit from the Sixtenth day of March in the yeare One thousand Six hundred Seventy three untill the two and twentith day of October in the yeare One thousand six hundred Seventy foure the summe of two and twe[nty] thousand two hundred forty eight pounds of tobacco a particular of all wch is here in Court produced in consideration whereof the said John Baker did assume upon himselfe and to the said John Quigley did faithfully promise that he the said John Baker when thereunto required the said summe of two and twenty thousand two hundred forty eight pounds of tobacco to him the said John Quigley would well and truly content and pay Notwithstanding which the said John Baker the said summe of two & twenty thousand two hundred forty eight pounds of tobacco to him the said John Quigley according to his promise hath not paid though often thereunto required but the same to pay hath and Still doth altogether refuse to the damage of him the said John Quigley thirty thousand pounds of tobacco and thereupon he bringeth his Suite.

And the said John Baker by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and Saith that he did not assume upon himself and to the said John Quigley make Such promise as the sd John Quigley hath above declared and of this he putts himselfe upon the Country and the said John Quigley likewise therefore Comānd is given to the Sheriff of St Maries County that he cause to come here twelve &c. Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c came the said John Quigley and the said John Baker by their Attornyes and the jurors of that jury likewise came to wit John Balley Wm Thomas Morgan Jones Henry Ri[der] John Hunt Thomas Doxey John Doxey Joseph Edloe Richard Ackworth Raymond Staplefort Daniel Clocker Senr, & Thomas Gerard who being impanelled Sumoned and Sworne to Say the truth of the premisses and the above said declaracōn plea and accompt being read in Open Court and the said accompt being fully proved It is considered by the Court that the said John Quigley recover against the said John Baker the said summe of two and twenty thousand two hundred forty eight pounds of tobacco as also the summe of One thousand fifty Six pounds of tobacco for his costs & charges in this behalfe laid Out & expended & the said John Baker in mercy.

John Baker agt John Quigley } John Quigley late of St Maries Citty merchant was attached to answer unto John Baker of St Maries Citty Inholder in a plea of trespas upon the case. Liber M M p. 513

And whereupon the said John Baker by Robert Ridgely his Attorny complaineth that whereas the said John Baker being a licensed Ordinary Keeper in the said Citty of St Maries the said John Quigley the fiftenth day of March in the yeare of Our Lord One thousand Six hundred Seventy three untill the eight and twentith day of October then next following bought had and received of him the Said John Baker at the house of him the said John Baker in the said Citty of St Maries divers liquors dyetts and other accom̃odations as also Severall summes of mony and tobacco paid and disbursed by him the said John Baker for the use and by the Order of the said John Quigley amounting in the whole to the summe of twelve thousand three hundred and five pounds of tobacco a particular whereof is here in Court produced In consideration whereof the Said John Quigley did assume upon himselfe and to the said John Baker did faithfully promise that he the said John Quigley the Said twelve thousand three hundred & five pounds of tobacco to him the said John Baker when thereunto required would well and truly pay and Satisfie Notwithstanding which the said John Quigley his promise and assumption So as aforesaid to him the Said John Baker made not regarding but deviseing and fraudulently intending him the said John Baker in this behalfe craftily & Subtilly to defraud and deceive the said John Quigley the said Summe of twelve thousand three hundred and five pounds of tobacco to him the Said John Baker though often demanded hath not paid or Satisfied but the same to pay or Satisfie hath refused and denyed & as yet doth deny to the damage of the Said John Baker of twenty thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said John Quigley doth come to defend the force & injury when &c and Saith that he did not promise and assume upon himselfe in manner and forme as the plaintiff hath above declared against him and of this he putts himselfe upon the Country and the Said John likewise therefore it is Com̃anded the Sheriff of St Maries County that he cause to come here twelve &c

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of his Lopp̃s Dominion &c came the said John Baker and the Said John Quigley by their Attornyes and the jurors of that jury likewise came to wit John Balley Wm Thomas Morgan Jones Henry Rider Jno Hunt Thomas Doxey Jno Doxey Joseph Edloe Richard Ackworth Raymond Stapelfort Daniel Clocker Senr & Thomas Gerard who being impannelled sum̃oned & Sworne to say the truth of & in the premisses upon their Oathes doe say they find for the plaintiff eleaven thousand eight hundred Sixty five pounds of tobacco which said verdict was by Order of Court first taken

Liber M M before the Hon^{ble} the Secretary and now delivered in Court. Therefore it is considered by the Court here that the said John Baker recover against the Said John Quigley the said summe of eleaven thousand eight hundred Sixty five pounds of tobacco and also the summe of One thousand eighty foure pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said John Quigley in mercy.

p. 514 Garrett Vansweringen
ag^{t}
Bryan Dayley and
Constant Keife

Bryan Dayley and Constant Keife late of S^{t} Maries County Executors of the last will & Testament of Roger Shehee were attached to answer unto Garrett Vansweringen in a plea of trespas upon the case.

And whereupon the Said Garrett Vansweringen by Kenelm Cheseldyn his Attorny complaineth that whereas One Robert Harper Servant unto the said Garrett Vansweringen & Skillfull in administring phisick and prosesseing the same the Said Roger Shehee then being Sick & languishing of various and divers distempers of body did to wit the twenty eighth day of March in the yeare One thousand Six hundred Seventy-foure in consideration that the said Garrett would permitt the said Robert then being his Servant as aforesaid & skilled in adminstring phisick to give unto him the Said Roger Such physicall meanes as the said Robert in his judgment then prosesseing Skill in phisick thought proper for the said Roger his present distemper the said Roger did assume upon himselfe and to the said Garret did faithfully promise that he the said Roger would pay unto him the said Garret for what meanes and other paines and trouble the said Robert should give and be at with him the said Roger what for the same the said Garret should deserve, and the said Garret in fact Saith that the said Robert did by consent of him the said Garret Vansweringen give unto the said Roger Severall meanes and medicines in the said distemper and for the Same did well deserve the summe of five hundred and twenty pounds of tobacco a particular of all which is here in Court produced Notwithstanding which the said Roger Shehee the said summe of five hundred & twenty pounds of tobacco in his life time according to his promise hath not paid nor the said Bryan and Constant Since his death executors of the last will and Testament of him the said Roger to him the said Garret Vansweringen hath not paid but the Same to pay hitherto hath & Still doe deny to the damage of the Said Garrett nine hundred pounds of tobacco and thereupon he bringeth his Suite.

And the Said Bryan and Constant by John Quigley their Attorny cometh and defendeth the force and injury when &c and Saith that the Said Roger Shehee did not assume upon himselfe as in the declaration against them is Supposed and of this they put themselves upon the Country and the said Garrett also.

Afterwards to wit the fiftenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c aswell the said Garrett as the said Bryan & Constant putt themselves upon the judgment of the Court and it is then considered by the Court here that the said Garret recover against the estate of the Said Roger Shehee aswell the said Summe of five hundred and twenty pounds of tobacco as also the Summe of nine hundred ninty Six pounds of tobacco for his costs & charges in this behalfe laid Out & expended. Liber M M

Raymond Staplefort
agt
Thomas Taylor

Thomas Taylor of Dorchester County in the Province of Maryland Gent was attached to answer unto Raymond Staplefort in a plea that he render unto him five thousand five hundred pounds of tobacco with caske which he oweth and unjustly deteineth & thereupon the aforesaid Raymond by his Attorny George Thompson Saith That whereas the aforesaid Thomas Taylor the tenth day of ffebruary Anno One thousand Six hundred Seventy three accepted a note p. 515 charged On him by his Excellency Charles Calvert Capt Generall of this Province of Maryland beareing date the One and twentith day of November in the yeare of Our Lord One thousand Six hundred Seventy three for five thousand five hundred pounds of tobacco with caske which note the said Staplefort here in Court is ready to produce Notwithstanding the aforesaid Taylor though often demanded the aforesaid five thousand five hundred pounds of tobacco & caske to the Said Stapelfort hath not as yet rendered but the same to him hitherto hath denyed to pay and as yet denyeth whereupon he Saith he is dampnified & hath damage to the value of tenn thousand pounds of tobacco and caske & thereupon he brings his action.

And the said Thomas Taylor by John Quigley his Attorney cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the same day is given to both parties here.

Now here at this day to wit the fifteenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said Raymond by his Attorny aforesaid but the said Thomas Taylor came not but made default Therefore it is considered by the Court here that the said Raymond recover against the said Thomas Taylor aswell the Said Summe of five thousand five hundred pounds of tobacco as also the summe of five hundred Sixty three pounds of tobacco for his costs and charges in that behalfe laid Out & expended and the Said Thomas Taylor in mercy. &c.

John Lucumb
agt
Charles Delaroch

Charles Delaroch late of St Maries County otherwise called Charles Delaroch of the Citty of St Maries Inholder was Sumoned to answer unto

Liber M M John Lucumb of the Citty of London marriner of a plea that he render unto him the sum̃e of three thousand One hundred and fifty pounds of good Sound tobacco with caske which to him he oweth & unjustly deteineth

And whereupon the Said John Lucumb by Robert Ridgely his Attorny Saith that whereas the said Charles the nine & twentith day of July One thousand Six hundred Seventy foure by his certaine writeing Obligatory Sealed with the Seale of him the Said Charles and here in Court produced whose date is the day & yeare aforesaid did acknowledge himselfe holden and firmly bounden unto the Said John in the just and full Summe or quantity of three thousand One hundred & fifty pounds of tobacco and caske to be paid to the said John Lucumb upon demand in some convenient place in Petuxent River it being for a Valuable consideracōn in hand received to the which payment well & truly to be made he did bind himselfe his heirs execut^{rs} & adm^{rs} firmly by those presents Notwithstanding which the said Charles Delaroch the said summe of three thousand One hundred & fifty pounds of tobacco to him the said John according to the tenor of the Said writeing Obligatory thõugh often thereunto required hath not paid but the same to pay hath denyed and as yet doth deny whereupon the said John Saith he is dampnified and hath lost to the value of foure thousand pounds of tobacco And thereupon he bring his suite.

p. 516 And the Said Charles Delaroch at this day to wit the thirtenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came in his proper person and Saith nothing in barre or avoidance of the action aforesaid of him the said John for that he oweth the said John the said summe of three thousand One hundred & fifty pounds of tobacco Therefore it is considered by the Court here that the said John Lucumb recover against the said Charles aswell the said summe of three thousand One hundred and fifty pounds of tobacco the debt aforesaid as also the summe of five hundred pounds of tobacco for his costs and charges in that behalfe laid Out & expended and the Said Charles in mercy.

Christopher Johnson & Thomas Elwes
ag^{t}
John Hance & Sarah his wife executrix of Sampson Wareing

John Hance and Sarah his wife executrix of the last will and Testament of Sampson Wareing late of the Clifts in Calvert County Gent deceased were attached to answer unto Christopher Johnson and Thomas Elwes of London merchants in a plea of trespas upon the case.

And whereupon the Said Christopher and Thomas by Robert Carvile their Attorny Say that whereas the said Sampson Wareing being in his life time indebted to the Said Christopher and Thomas in the summe of eleaven thousand One hundred eighty two pounds of good Sound merchantable tobacco and caske for divers wares and merchandizes by him the said Sampson received of the said Christopher and Thomas in consideration whereof the said Sampson did assume upon himselfe and to the said Christopher and Thomas faithfully promise that he the said eleaven thousand One hundred eighty two pounds of tobacco would well & truly pay when he should be thereunto required Neverthelesse the Said Sampson in his life time nor the said John and Sarah to whom administration of all and Singular the goods and chattells of the Said Sampson Since his death hath bin committed the Said promise little regarding but deviseing to deceive and defraud the Said Christopher and Thomas in this behalfe the Said summe of eleaven thousand One hundred eighty two pounds though often thereunto required hath not paid but the same to them to pay the said Sampson in his life time hath refused and the Said John and Sarah hitherto have denyed and refused to pay or Satisfie whereupon they Say they are dampnified and have losse to the value of twenty thousand pounds of tobacco And thereupon they bring their Suite Liber M M

And the Said John and Sarah by John Rousby their Attorny comes and defend the force and injury when &c and say that they cannot gainesay the action aforesaid because they Owe the Said eleaven thousand One hundred eighty two pounds of tobacco in Such manner and forme as the said Christopher and Thomas have above declared against them therefore it is considered that the Said Chrystopher and Thomas shall recover against the said John and Sarah the said Summe of eleaven thousand One hundred eighty two pounds of tobacco and pounds of tobacco for costs of Suite and the said John and Sarah thereof in mercy.

To Mr John Rousby or any other of the Attorynes of his Lordshippes Provinciall Court, These are to desire you or either of you to make declaration for me John Hance and Sarah my now wife executrix of the last Will and Testament of Sampson Wareing late of the Clifts in Calvert County Gent deceased at the Suite of Christopher Johnson and Thomas Elwes both of London merchants for the full Summe & just quantity of eleaven thousand One hundred eighty and two pounds of good Sound merchantable tobacco and caske justly due and Oweing Out of the estate of the aforesaid Sampson Wareing deceased unto them the said Christopher Johnson and Thomas Elwes and thereupon to confesse a judgmt either by non sum informatus nihil dicit or otherwise as you shall thinke fitting and this shalbe your Sufficient warrant As wittnes Our hands and seales this Sixth day of ffebruary Annoq Dom̄ 1674 p. 517

Testes
Hen: Jowles
Wm Parker.

John Hance (Sealed)
the marke of
Sarah **S** Hance (Sealed)

Liber M M Com̄and was given to the Sheriff of Charles County that he attach any the Goods Chattells or Creditts of Edward Erbery and Comp^{a} if they Should be found in his Bailiwick to the value of One hundred and fifty pounds Sterling and when he have the Same So attached or any ꝑ^{t} thereof he deliver the Same unto Richard Speed in pursuance of an Order of this Court held at S^{t} Maries the thirtenth day of October last past & hereof he was not to faile at his peril And to what value of the Goods Chattells or Creditts of the Said Edward Erbery & Comp^{a} he Should attach & deliver as aforesaid he make Knowne to his Lop̄ps justices here the ninth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c that he then and there have the same writt.

Att which said ninth day of ffebruary in the 43th yeare aforesaid the Same Sheriff maketh returne of the writt aforesaid that the execution of the same writt appeareth in a certaine paper thereunto annexed. w^{ch} is as followeth Viz^{t}.

By Virtue of a writt of Attachment from the Provinciall Court beareing date the fourtenth day of December 1674 I have attached these Several quantityes of tobacco underwritten in the hands of the persons undermentioned Vizt

	l̄ tob̄
In the hands of Josias ffendall and Hugh ONeale	8000
In the hands of Richard Morris	400
In the hands of ffrancis Kilborne	474
In the hands of John Allen	1268
In the hands of John Stone	642
In the hands of Nathaniel Eaton	1200
In the hands of W^{m} Barton ju^{r}	171
In the hands of Edward Price	370
In the hands of Archibald Walkup	1740
In the hands of Richard Speed	917

In all amounting to fifteene thousand One hundred twenty two pounds of tobacco being the goods and Creditts of Edward Erbery & Comp^{a} attached by = 15122

Benj^{a} Rozer Sheriff Com Carol̄.

Now here at this day to wit the 11th day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c it is Ordered that notice be given to Cap^{t} Ashton of Virginia Attorny of the said Erbery and Comp^{a} that he appeare here at the next Provinciall Court by himselfe or Attorny to answer the suite of the Said Richard Speed otherwise execution to issue upon the said Attachm^{t}.

p. 518 To M^{r} Ridgely One of the Attornyes of the Provinciall Court.

M^{r} Ridgely.

Whereas I have recovered judgment against M^{r} Moy the last Provinciall Court for three thousand three hundred and Odd pounds

Liber M M

of tobacco damages and costs of Suite These are therefore to informe you that I and Mr Moy are agreed and therefore I doe hereby authorize and impower you as my Attorny to acknowledge Satisfaction upon record of the said judgment and for So doeing this shall be your Sufficient warrant as Wittnes my hand & seale the second day of ffebruary Anno Dom̄ 1674.

Sealed and delivered in
p^r^sence of Ro: Carvile.
Evline Mackenzie.

the marke of
Wm B Baker (Sealed)

ffebruary 14th 1674.

Satisfaction upon the judgment aforesaid was by the said Robert Ridgely in Open Court. Acknowledged.

Roger Baker against Thomas Banckes } Thomas Bankes late of Çalvert County otherwise called Thomas Bankes of the Province of Maryland in the County of Calvert was Summoned to answer unto Roger Baker merchant of London of a plea that he render unto him the summe of Eight hundred thirty Six pounds of good Sound merchantable tobacco and casque which to him he oweth and unjustly deteineth

And whereupon the Said Roger Baker by Robert Ridgely his Attorny Saith that whereas the said Thomas Banckes the fiftenth day of June One thousand Six hundred Seventy three by his certaine bill Obligatory Sealed with the Seale of him the Said Thomas & here in Court produced whose date is the day & yeare abovesaid did confesse himselfe Owe & be indebted to the said Roger the sum̄e of Eight hundred thirty five pounds of good Sound merchantable tobacco and caske without ground leaves or any Kind of trash whatsoever payment thereof to be made to the said Roger Baker his heirs executors admrs or assignes to be paid by the Said Thomas Banckes at demand in Petuxent River To the true payment of which tobacco the said Thomas did bind himselfe his heirs executors and assignes Notwithstanding which the said Thomas Banckes the Said Summe of eight hundred thirty Six pounds of tobacco to him the Said Roger according to the tenor of the Said writeing Obligatory hath not as yet paid though often thereunto required but the same to pay hath refused and as yet doth refuse to the great damage of the Said Roger Baker whereupon he Saith he is dampnified and hath losse to the value of eight hundred pounds of tobacco and thereupon he bringeth his suite.

And the Said Thomas Bankes the fiftenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c in his proper person cometh into Court and Saith nothing in barre or avoidance of the action aforesaid because he oweth the said summe of eight hundred thirty Six pounds of tobacco in such manner and forme as the said Roger

Liber M M hath above declared against him Therefore it is considered by the Court here that the said Roger recover ag^{t} the said Thomas Bankes aswell the said summe of Eight hundred thirty Six pounds of tobacco the debt aforesaid as also the summe of five hundred Seventy One pounds of tobacco for his costs & charges in this behalfe laid Out. but so as execution thereof cease untill the tenth day of November next.

p. 519 The abovesaid judgm^{t} should have bin for three hundred & ten pounds of tobacco and costs of Suite.

Roger Baker
ag^{t}
Thomas Bankes

Thomas Bankes late of Calvert County otherwise called Thomas Bankes of the Province of Maryland in the County of Calvert was Sum̄oned to answer unto Roger Baker of London of a plea that he render unto him the Summe of three thousand two hundred pounds of good Sound merchantable tobacco & caske without ground leaves or any Kind of trash whatsoever which to him he oweth & unjustly deteineth.

And whereupon the Said Roger Baker by Robert Ridgely his Attorny Saith that whereas the Said Thomas Bankes the thirtenth day of September One thousand Six hundred seventy three by his certaine bill Obligatory Sealed with the Seale of him the Said Thomas and here in Court produced whose date is the day and yeare aforesaid did confesse himselfe to be indebted unto the Said Roger in the Said Summe of three thousand two hundred pounds of good Sound merchantable tobacco & casque without ground leaves or any Kind of trash whatsoever payment thereof to be made to the said Roger Baker his heirs executors administrators or assignes To be paid by the said Thomas Bankes to the Said Baker at or upon the tenth day of October next ensueing the date of the Same bill in Patuxent River To the which payment of which tobacco the Said Thomas did bind himselfe his heirs execut^{rs} adm^{rs} & assignes Notwithstanding which the Said Thomas Bankes the Said Sum̄e of three thousand two hundred pounds of tobacco according to the tenor of the Said bill to him the Said Roger hath not as yet paid though often thereunto required but the same to pay hath refused & as yet doth refuse whereupon the Said Roger Saith he is dampnified & hath lost to the value of two thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said Thomas Banckes the fiftenth day of ffebruary in the 43th yeare of his Lopp̄s Dominion &c in his proper person cometh into Court and Saith nothing in barre or avoidance of the action aforesaid of him the said Roger because he oweth the said sum̄e of three thousand two hundred pounds of tobacco in such manner and forme as the said Roger hath above against him declared Therefore it is considered by the Court here that the said Roger recover against the said Thomas the said summe of three thousand two hundred pounds of tobacco the debt aforesaid as also the sum̄e of five hundred Seventy One pounds of tobacco for his costs & charges in this behalfe laid Out But so as execution thereof cease untill the tenth day of November next. Liber M M

Thomas Hedge
agt
Daniel Jenifer

Comand was given to the Sheriff of St Maries County that he attach Daniel Jenifer late of St Maries County otherwise called Daniel Jenifer of Accomack County in Virginia if he should be found in his Bailiwick so that he have his body here the ninth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c to answer unto Thomas Hedge in a plea that he render unto him the summe of seaven thousand three hundred pounds of tobacco which to him he oweth and unjustly deteineth. Att which said ninth day of ffebruʳy in the yeare aforesaid the Same Sheriff maketh returne that the said Daniel Jenifer is not found in his Bailiwick whereupon the said Thomas Hedge by Robert Carvile his Attorny prayed an attachment against the estate of the said Daniel according to Act of Assembly in that case made and provided and it is granted unto him by the Court here.

At which Said next Provinciall Court to wit the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c Came the Said Daniel Jenifer in his proper pson and defendeth the force and injury when &c and Saith he hath nothing to Say in barr of the Said action but that judgment passe against him for the debt aforesaid therefore it is considered of by the Court here that the Said Thomas doe recover against him the Said Daniel the Said Summe of Seaven thousand three hundred pounds of tobacco with costs of Suite and the Said Daniel in mercy &c only execucōn is Stayed till the tenth day of November next. Costs allowed 605 ɫ tob̄. p. 520

John Blomfeild
agt
Philip Rossell &
George Mathews

Philip Rossell and George Mathews late of St Maries County otherwise called Philip Rossell and George Mathews of St Maries County were Sumōned to answer unto John Blomfeild Clerke of the Provinciall Court according to the libertyes and priviledges of Attornyes and other ministers of the same Court allowed &c in a plea that they Keepe with him the Covenants betweene them made according to the forme force and effect of certaine Articles of agreement between them made.

And whereupon the said John by Kenelm Cheseldyn his Attorny Saith that whereas the Said Philip and George by certaine Articles of agreement made the Six and twentith day of April in the 43th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ One thousand

Liber M M Six hundred Seventy foure Sealed with the Seales of them the said Philip and George and here in Court produced whose date is the day and yeare abovesaid did covenant promise grant and agree to and with the said John to pay him the said John or his Order the full quantity of twelve hundred pounds of tobacco to help to repaire & secure the fencing upon the plantation of him the said John to allow the said John or his Order Such Satisfaction as might be by any two indifferent men adjudged in worth for their not tending and housing what Corne was planted in the feild called Nicholas's Peece as also two thousand Corne holes more which they were formerly intended to tend & house for the Said John and also should One day in a weeke dureing Sider time help the said John or his Order in gathering of apples and quinces and makeing Sider and quince drinke and farther to doe any necessary thing whatsoever about the plantation as by the said articles of agreement it doth and may more fully appeare And the said John in fact Saith that the said Philip and George have not performed the Covenant aforesaid though often thereunto required but the same to doe & pforme have refused and Still doe refuse to the great damage of the said John whereupon he Saith he is dampnified & hath losse to the value of five thousand pounds of tobacco & thereupon he bringeth his suite And whereupon the said Philip Rossell and George Mathews by George Oldfeild their Attorny come and defend the force and injury when &c and say that the said John Blomfeild Ought not to have his action against them the said Philip and George for that they have performed all and Singular the Covenants betweene them made which on their Part Ought to be performed and Kept according to the forme force & effect of the said Articles of agreement and upon this they putt themselves upon the Country and the said John also Therefore it is comānded the Sheriff that he cause to come here twelve &c.

Now here at this day to wit the fiftenth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c came the said John by his Attorny and the said Philip and George by their Attorny and p. 521 the jurors of that jury likewise came to wit John Balley John Luellin Richard Ackworth Morgan Jones Henry Rider John Hunt Thomas Doxey John Doxey Joseph Edloe Richard Ball Thomas Courtney & Stephen Murty who being impannelled Sumoned and Sworne to say the truth in the premisses the defendants appeared not but suffered judgment to passe against them by default Whereupon it is considered by the Court here that the said John recover against the said Philip and George his damages by Occasion aforesaid together with costs of Suite and the said Philip and George in mercy &c

Upon the Petition of ffrancis Partis Commander of the Shipp Prosperous of Hull and Edward Tarleton Comander of the Dublin of Liverpoole That they haveing two actions depending in this Court Liber M M against Nehemiah Blackistone and George Charlesworth for goods and Servants bought of them and not Knowing whether ever they may fortune to come into this Country againe being imployed upon merchants accompts & being Strangers here & never in this province before, whereupon it was Ordered that ffryday the ninetenth of this instant ffebruary be appointed to heare & determine all causes relateing to Masters of Shipps for their more speedy dispatch.

At which said nintenth day of ffebruary in the 43th year of his Lop̄ps Dominion &c Annoqꝫ Dom̄ 1674 were present the Hon^{ble} Charles Calvert Esqꝫ Leivtenn̄t General and Cheife justice, Philip Calvert Esqꝫ Chancellour, W^{m} Calvert Esqꝫ Secretary Baker Brooke Thomas Truman Thomas Taillor and Samuel Chew Esqꝫ justices.

John Harrison
ag^{t}
Richard Ambrose

Richard Ambrose late of Charles County merchant was Sumoned to answer unto John Harrison of a plea that he render unto him his reasonable accompt of the time that he was receiver of the tobaccoes of him the said John.

And whereupon the Said John Harrison by Kenelm Cheseldyn his Attorny complaineth that whereas the Said John Harrison did deliver unto the said Richard Ambrose the foure and twentith day of March in the yeare One thousand Six hundred Seventy three an accompt and last of debts Oweing to him the said John from Severall persons in this Province amounting to the Summe of Seaven thousand nine hundred Seventy eight pounds of tobacco a particular whereof is here in Court produced to be received by him the said Richard Ambrose for the proper use of the Said John and when thereunto required to render unto him the Said John his reasonable accompt of the Sume and the Said John in fact Saith that the said Richard did receive of the Said Severall persons the said summe of seaven thousand six hundred Seventy three pounds of tobacco Notwithstanding which the said Richard Ambrose his reasonable accompt aforesaid though often thereunto required hath not rendred unto him the said John but the same to render hitherto hath and Still doth altogether deny to the damage of the said John twelve thousand pounds of tobacco And thereupon he bringeth his suite

And the Said Richard Ambrose by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and as to two thousand eight hundred forty two pounds of tobacco part of the said Seven thousand nine hundred Seventy eight pounds of tobacco which the said John by his declaration aforesaid above supposeth him the said Richard by the time aforesaid to have received he Saith that the Said John his action against him Ought not to have because he Saith p. 522 that he the Said Richard the ninetenth day of January One thousand six hundred Seventy foure did fully accompt with the Said John of the same two thousand eight hundred forty two pounds of to-

Liber M M bacco and this he is ready to averre whereupon he prayes judgm^t if the said John as to the Said two thousand eight hundred forty two pounds of tobacco his action aforesaid against him Ought to have And as to five thousand One hundred thirty Six pounds of tobacco residue of the Seven thousand nine hundred Seventy eight pounds of tobacco which the aforesaid John by his declaration aforesaid above Supposeth him the said Richard by the time aforesd to have received he Saith he was never receiver of the same and of this he putts himself to the judgment of the Court and the plaintiff likewise. And the Said Richard Ambrose produceth here into Court an accompt of Debtor and Creditor which is as followeth Viz^t.

M^r John Harrison is D^r	Tob̄.
To 2 hdds of tob̄ brought from Major Gibsons Quarter neate	885
To 4 hdds tob̄ paid you at Mattapeny Quarter neate	1241
To 118 ꝉ Sug^r bought by y^e Ord^r of M^r Joseph Calley at 5 ꝉ ꝑ ꝉ is	590
To Tobacco paid M^r Hatch	200
To Salery receiving 2842 ꝉ	284
Summa ꝉ	3200

Ꝑ Contra Cred^r	Tobacco.
By Benj^a Rozer received of him	1645
By Mathew Hill received of him	30
By Capt^t Boreman received of him	1081
By W^m Hinsey	54
By Thomas Notley	32
	2842
Rest due to ball to Rich. Ambrose	358
Summa ꝉ	= 3200

Errors excepted by me Richard Ambrose.

And to the accompt mentioned in the declaration aforesaid of him the said John wherein he supposeth him the said Richard to be receiver the said Richard Ambrose here at this day to wit the nineteenth day of ffebru^{r}y in the yeare aforesaid being Sworne in Open Court upon his Oath Saith that to the best of his Knowledge he never received any part of the same accompt except the Creditt given as abovesaid. whereupon it is considered by the Court here that the said Richard Ambrose recover against the said John Harrison the summe of three hundred fifty eight pounds of tobacco the ballance of the accompt abovesaid as also the summe of nine hundred pounds of tobacco for his costs of Suite and the said John in mercy for his false claime. Liber M M

Edward Tarleton
agt
George Charlsworth

George Charlsworth late of St Maries County planter otherwise called George Charlsworth of St Ellen [?]s in the Province of Maryland was Summoned to answer unto Capt Edward Tarleton of Liverpoole of a plea that he render unto him the whole & just quantity of twenty-eight hundred pounds of Sufficient and merchantable tobacco & casque which to him he oweth and unjustly deteineth

And whereupon the Said Edward Tarleton by Robert Ridgely his Attorny Saith that whereas the said George Charlsworth the eighth day of January in the 43th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ One thousand six hundred Seventy foure by his certaine bill Obligatory Sealed with the Seale of him the said George and here in Court produced whose date is the day and yeare aforesaid did thereby acknowledge to owe and be justly indebted unto the said Edward the whole & just quantity of twenty eight hundred pounds of Sufficient & merchantable tobacco & caske which the said George did promise & engage himselfe his executors & admrs. p. 523 to pay unto the said Capt Edward Tarleton or his Order upon demand the said George did promise to pay the contents of the abovesaid bill without any fraud Notwithstanding which the said George the said twenty eight hundred pounds of tobacco to him the said Edward Tarleton according to the tenor of his Said bill though often demanded hath not paid but the same to pay hath refused & denyed & as yet doth refuse and deny whereupon the said Edward Saith he is dampnified & hath lost to the value of three thousand pounds of tobacco and thereupon he produces his suite.

And the said George by Robert Carvile his Attorny cometh & defendeth the force & injury when &c and Saith nothing in barr of the action aforesaid of him the said Edward Therefore it is considered by the Court here the ninetenth day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c That the said Edward recover against the said George the debt aforesaid as also the summe of five hundred Seventy One pounds of tobacco costs of Suite & the said George in mercy.

ffebruary 15th 1674.

Ordered that the Secretary amerce the respective Sheriffs if they have made no returnes of their writts, grant attachments upon non est inventus & procedendoes upon appeales.

The Court adjourned untill the third tuesday in April next.

Liber M M Maryland ss.

Att a Provinciall Court held at the Citty of St Maries the fourth day of May in the 43th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ One thousand Six hundred Seventy five at which day were present

The Honble
Charles Calvert Esqꝫ Leivtenn̄t Generall Cheife justice
Philip Calvert Esqꝫ Chancellour.
William Calvert Esqꝫ Secretary
Baker Brooke
Jesse Wharton } Esqꝫs justices.

Then was Charles Boteler admitted and Sworne One of the Attornyes of this Court according to the usuall Oath for Attornyes of this Court.

Proprietary
agt
Vansweringen
Proprietary
agt
John Barnes executr
Walter Waterling } These two causes agreed and the papers all delivered to the Attornyes on both sides and fifth day of May.

Daniel Jenifer
agt
Jonathan Squire admr
John Morecroft. } agreed

ffrancis Armstrong
agt
John Anderson } discontinued.

p. 524 To all Christian People to whom these presents Shall Come John Anderton of Calvert County in the Province of Maryland Gent Sendeth Greeting Whereas William Eltonhead late of the Same County deceased did in the yeare of Our Lord One thousand Six hundred fifty foure by his Deed of Lease grant demise and to farme lett unto the said John Anderton all that Neck of land runing from the head of a Necke of land called Anthill neck into a branch called the head of St Johns Creeke containeing One hundred acres more or lesse being parcell of the Mannour of Little Eltonhead in the same County To have and to hold the same to him and his heirs for and dureing the lives of him the said John Anderton and Gertrude his wife and Thomas Taylor under the yearly Rent of One barrell of Indian Corne with a Clause of reentry for non payment of the Said rent And whereas the Said Mannour of Little Eltonhead is Since by Severall mesne assignments come to the Seizin and possession of the Hon^ble^ Charles Calvert Esqꝫ who is now the present Lord of the ffee of the Said Mannour and premisses and hath for non payment of the Said Rent arreare for many yeares made re-entry into the premisses demised to the said John Anderton as aforesaid Now Know yee That I the Said John Anderton for and in consideration of the summe of fifteene hundred pounds of tobacco to me in hand paid by the Said Charles Calvert at and before the ensealeing and delivery of these presents the receipt whereof I doe hereby acknowledge and thereof and of every part thereof doe fully and freely acquitt and discharge the Said Charles Calvert his executors adm^rs^ or assignes by these presents and for divers other good causes and considerations mee thereunto Especially moveing have remissed released and for ever quit claimed and by these presents doe for me and my heirs fully cleerely and absolutely remise release and for ever quitclaime unto the said Charles Calvert in his full and peaceable possession and Seizin and to his heirs and assignes for ever the said Neck of land So demised as aforesaid and all such right estate interest and demand whatsoever which I the said John Anderton have had or ought to have of in or to the Said demised land and premisses or to the Said Mannour of Little Eltonhead or any part or parcell thereof by any wayes or meanes whatsoever To have and to hold the Said demised lands and premisses and every part and parcell thereof to him the Said Charles Calvert his heirs and assignes for ever So that neither the Said John Anderton nor his heirs shall have claime, or demand any right estate or title thereunto or any part thereof but shall for ever hereafter be utterly excluded and barred from any right or title to the same by these presents In Testimony whereof I have hereunto Sett my hand and Seale this fifth day of May in the three and fortith yeare of the Dominion of Caecilius Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltemore &c Annoqꝫ Dom̃ 1675. Liber M M

Sealed and delivered in John Anderton (Sealed)
the presence of.
Vincent Lowe
Ro: Carvile.
May the 5^th^ 1675.

The abovesaid Deed was by the Said John Anderton Signed Sealed and acknowledged in Open Court to be his Act and deed to the use therein specified.

John Moll
ag^t^ } agreed.
Henry Brayne

Be it Knowne unto all men by these presents That Wee William Orchard and George Lewen of the Towne and County of Poole in p. 525

Liber M M the County of Dorsett and William Body of Sarum in the County of Wills merchants doe hereby nominate appoint constitute and make Our trusty and beloved freind Edward Mann formerly of Poole aforesaid and now in Maryland or Virginia merchant to be Our true and lawfull Attorny for Us and in Our names and to Our Only use and behoofe to aske levy require recover and receive of and from all and every person and persons whatsoever in Maryland and Virginia aforesaid all and every Such Summe and Summes of mony goods chattells bargaines debts bonds bills writeings and all things whatsoever else as may appeare due unto Us or either of Us at any time or times past or to come by any wayes or meanes howsoever also to call to accompt reckon with and make up accompts for Us and either of Us: and to make any bargaine and bargaines for Us with any person or persons whatsoever, and to pay debts draw bills lands releases and other writeings as he shall See Occasion for Us and them also to signe Seale and confirme Giveing and Granting unto Our said Attorny Our full and whole power and lawfull Authority in the premisses to Act and doe for Us and either of Us in all places in and about Maryland and Virginia with all and Singular person and persons as abovesaid and in every respect as much as Wee Our Selves might or could doe if wee were in Our Owne persons present to all intents and purposes which concernes Us and either of Us in any wise whatsoever And all that ever Our Attorny shall doe or cause to be done in the premisses by virtue of these presents Wee doe hereby promise and Oblige Our Selves to allow fullfill ratifie confirme & establish In wittnesse whereof Wee have hereunto putt Our hands & Seales Dated in Poole this ninth day of January in the Six and twentith yeare of the Reigne of Our Soveraigne Lord Charles the Second King of England &c Annoꝗ Dom̄ 1674.

Wiłł: Orchard (Sealed)

Signed Sealed & delivered
in presence of
John Dunell
James Hallybread
Eustace Mores[?]
John Skues
Christopher Reekes
John Millett.

Geo: Lewen (Sealed)

Will Body (Sealed)

Memorandum That this day to wit the 8th day of June in the 43th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1675 Came before me Wm Calvert Esꝗ One of his Lopp̄s justices of this Province of Maryland John Skues One of the witnesses to the abovewritten Letter of Attorny and made Oath that the said Wm Orchard George Lewen and Wm Body did in presence Signe Seale & deliver the Said Letter of Attorny to the use therein Specified and thereupon he Sett his hand as a witnesse. Wiłł Calvert.

Liber M M

George Robbins
agt
Henry Brayne
agreed.

p. 526

Garret Vansweringen
agt
Richard Moy
John Barnes
agt
Richard Moy
Thomas Gant
agt
ffrancis Swinfen
these three causes agreed.

May the 6th 1674.

John Le ffebure Petitioneth the Court That he is diseased by certaine infirmity of old Sores fallen into his legg that he is unable to worke for his liveing neither hath any thing to help himselfe but almost Starved for want of Sustenance and releife and prayes allowance for a maintenance or to transport him to his native Country.

The Court here being informed that the County Court of St Maries County have allowed him Eight hundred pounds of tobacco towards his transportation doe Order that Mr Clement Hill take Care for his passage and what remaine of the Eight hundred pounds of tobacco when his passage is satisfied that he pay him the same.

Benja Rozer
agt
Henry Spry

Henry Spry late of Baltemore County Merchant was attached by a writt of priviledge issueing Out of this Court to answer unto Benjamin Rozer Gent One of the Attornyes of this Court according to the liberties and priviledges &c allowed in a plea of trespas upon the case

And whereupon the Said Benjamin in his proper person complaineth that whereas the Said Henry the tenth day of June in the yeare One thousand Six hundred and Seventy Stood indebted to the said Benjamin the summe of thirteene hundred fifty & two pounds of good muscavados Sugar being the neate produce of foure hogesheads of tobacco which the said Henry received of the Said Benjamin by the hands of John Mason Comānder of the Shipp Primrose of Barbadoes and that the said Henry Sold for the proper use of the Said Benjamin in the Island of Barbadoes In consideration whereof the said Henry did assume upon himselfe and to the said Benjamin did faithfully promise that he the said Henry when thereunto required would well & truly content & pay unto him the said Benjamin the said thirteene hundred fifty two pounds of good muscovado Sugr or the Value of the same And the said Benjamin in fact

Liber M M Saith that he the said Henry did receive the said thirteene hundred fifty two pounds of Sugar as the neate produce of the said foure hogeshead of tobacco received & sold for the proper use of him the said Benjamin Notwithstanding which the said Henry the said thirteene hundred fifty two pounds of Sug^{r} nor the value of the same according to his promise and assumption aforesaid hath not paid & Satisfied to him the said Benj^{a} though often thereunto required but the same to pay & Satisfie hath and Still doth altogether deny and refuse to the damage of the said Benjamin Seaven thousand pounds of tobacco And thereupon he bringth his suite.

p. 527 Now here at this day to wit the fifth day of May in the 43th yeare of the Dominion of Caecilius &c Came the said Henry Sprye in his proper person and defendeth the force and injury when &c and saith nothing in barre or avoidance of the action aforesaid of him the said Benjamin for that he oweth the said Benjamin the said quantity the said of thirteene hundred fifty two pounds of Sugar in such manner & forme as the said Benjamin hath above declared against him therefore it is considered by the Court here that the Said Benjamin recover against the Said Henry the summe of three thousand pounds of tobacco for his damages by Occasion of the trespas aforesaid as also the Summe of five hundred Seventy two pounds of tobacco costs of Suite & the Said Henry in mercy &c.

John Quigley
ag^{t}
Garret Vansweringen

Garrett Vansweringen late of S^{t} Maries Citty otherwise called Garrett Vansweringen of the Citty of S^{t} Maries in the Province of Maryland Gent was Sum̄oned to answer unto John Quigley Gent One of the Attorneyes of this Court according to the liberties and priviledges of Attornyes and other ministers of the Same Court allowed in a plea that he render unto him One hundred and fourteene thousand nine hundred and fifty pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said John in his proper person Saith that whereas the Said Garrett upon the tenth day of July in the yeare of Our Lord One thousand Six hundred Seventy foure by his certaine bond or writeing Obligatory Sealed with the Seale of the Said Garrett here in Court produced whose date is the day and yeare abovesaid did confesse and acknowledge himselfe to Owe and Stand indebted unto the Said John Quigley the full and just quantity or Summe of One hundred and fourteene thousand nine hundred and fifty pounds of good Sound and merchantable tobacco and casque to be paid to the Said John Quigley his heirs executors administrators or assignes Yet the said Garrett Vansweringen the Summe of One hundred & fourteene thousand nine hundred and fifty pounds of tobacco to him the Said John according to the Said bond though Liber M M often required hath not paid or Satisfied but the same to pay hath hitherto denyed and Still doth deny to pay the Same to the damage of the Said John One hundred and twenty thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said Garrett Vansweringen by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth heareing of the writeing aforesaid and it is read unto him he prayeth also the heareing of the Condition of the Said writeing and it is read unto him in these words The Condition of this Obligation is Such That if the abovebound Garrett Vansweringen his heirs executors or administrators shall for his or their parts well and truly pay or cause to be paid unto the abovenamed John Quigley his heirs executors administratrs or lawfull Attorny the just & full quantity of fifty Seaven thousand foure hundred Seventy five pounds of good Sound merchantable leafe tobacco and caske at or before the tenth day of October next ensueing the date hereof in Some convenient place or places in St Maries County Charles County Calvert County Kent and Talbott County that then this Obligation to be void & of none effect otherwise to stand in full force power & Virtue p. 528 in the Law Which being read and heard the Said Garrett prayeth liberty of Speakeing hereunto untill the next Provinciall Court the Same day is given to both parties here.

Att which Said next Provinciall Court to wit the Sixth day of May in the 43th yeare of the Dominion of Caecilius &c Came the Said John Quigley and the Said Garrett by his Attorny aforesaid came likewise and the Said Garrett demandeth judgment of the writt aforesaid because he Saith that the Originall writt of the Said John Quigley is a writ of priviledge as an Attorny of this Court, and that the Said debt was not due to the said John upon the accompt of Attornyes ffees for which only a writ of privilege lyeth and this he is ready to averre and thereupon demands judgment of the writ aforesaid &c. whereupon the judgment of the Court here is that there is no cause of abatement of the writ aforesaid of him the Said John Quigley therefore it is considered by the Court here (Nemine Contra dicente) that the Said John Quigley recover against the Said Garrett Vansweringen aswell the Summe of One hundred and fourteen thousand nine hundred & fifty pounds of tobacco the penalty of the writeing Obligatory aforesaid as also the sum̄e of pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the said Garret in mercy &c

Garret Vansweringen
agt
John Quigley

Memorandum that this present Court to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1674 came here into Court Garret Vanswer-

Liber M M

ingen by Kenelm Cheseldyn his Attorny and exhibiteth here into Court his certaine bill against John Quigley Gent One of the Attornyes of this Court in a plea of trespas upon the case

And whereupon the said Garret Vansweringen by the Said Kenelm Cheseldyn his Attorny complaineth that whereas the said Garret Vansweringen being possessed of a certaine man Servant named Robert Harper being a Chirurgeon and Skillfull in administring Physick and also was possessed of divers medicam^{ts}, plaisters drinkes Cordialls julips and Other wholsome & fitt things for the cure of distempers, the said John Quigley being Sicke and languishing under a grevious distemper called the gripping of the Gutts the Said John Quigley the fourth day of July in the yeare of Our Lord 1674 in consideration that he the said Garrett would permit him the Said Robert Harper his Servant to attend the said John and administer unto him Such necessary and fitt medicines and remedyes for the recovery of him the said John Out of his distemper called the griping of the Gutts and also to administer unto the Servants of the said John such necessary & fitt medicines and remedyes for the recovery of them or any of them of the Severall distempers the said John Quigley upon himselfe did assume and to the Said Garret did faithfully promise that he the said John would satisfie and pay the said Garret asmuch as the paines and Skill of the said Robert and the medicines and remedyes expended by him the said Robert on him the Said John should be worth And the said Garret in fact Saith that trusting to the faithful promise and assumption of him the said John to him the said Garrett So as aforesaid made he the said Garrett did permitt p. 529 and Suffer the Said Robert to administer Such necessary and fitt medicines to the said John and his Servants as their Severall distempers did require, and the said Robert from the said fourth day of July in the yeare aforesaid untill the 27th day of November then next following at divers dayes and times did attend the said John and his Servants and to them did administer Such medicines and remedyes as their Severall distempers did require a particular whereof by the said Garret is here in Court produced And the said Garret further Saith that for the time care paines and Skill of his Said Servant Robert Harper in attending the said John and his Serv^{ts} and the medicines and remedyes he did upon them expend the said Garret doth reasonably deserve the summe of five thousand three hundred thirty five pounds of tobacco Notwithstanding which the Said John his promise and assumption So as aforesaid made little regarding but deviseing and fraudulently intending him the said Garret in this behalfe craftily and Subtilly to deceive and defraud to him the said Garret the said summe of five thousand three hundred thirty five pounds of tobacco hath not paid though often thereunto requested but the same to pay hath and Still doth deny to the damage of the said Garret tenn thousand pounds of tobacco and thereupon he produces his suite. Liber M M

And the Said John Quigley by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provincial Court and it is granted him the same day is given to both parties here.

Now here at this day to wit the fifth day of May in the 43th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ One thousand six hundred Seventy foure came the said Garret Vansweringen by his Attorny aforesaid and the said John Quigley in his proper person came likewise and the said John Quigley Saith that he did not assume upon himselfe and to the Said Garret make such promise as the said Garret hath above declared and of this he putts himselfe upon the Country and the plaintiff likewise Therefore Comānd is given to the Sheriff that he cause to come here twelve &c At which said fifth day of May in the yeare aforesaid came the jurors of that jury to wit Walter Hall John Newton Morgan Jones ffrancis Anketill George Marshall Edward Jolley David Driver Joseph Tilly Tobias Wells Edward Roe Thomas Price Raymond Stapelfort who being Sumōned and Sworne to Say the truth of and in the premisses and the said accompt being sworne to by the said Robert Harper the jurors aforesaid went together to consider of their Verdict which Said Verdict was by the Court Ordered to be taken by the Honble the Secretary which said jurors being agreed returned their Verdict to the Secretary in these words vizt Wee the jurors doe find for the plaintiff to be due of this within mentioned accompt three thousand three hundred thirty five pounds of tobacco for damages.

Now here at this day to wit the Sixth day of May in the yeare aforesaid came the said Garret Vansweringen by his Attorny aforesaid and the said John Quigley in his proper person and the jurors aforesaid likewise came which said jurors againe doe say Wee the jurors doe find for the plaintiff to be due of this within mentioned accompt three thousand three hundred thirty five pounds of tobacco for damages.

Therefore it is considered by the Court here that the Said Garret Vansweringen recover against the said John Quigley the summe of three thousand three hundred thirty five pounds of tobacco for his damages Occasioned by the trespas aforesaid and also the Summe of   pounds of tobacco costs of Suite and the Said John in mercy &c. p. 530

Samuel Tracey
agt
Thomas Morley

Liber M M Jn^{o} Eason & ux
ag^{t}
Richard Gorsuch
George ffinion
ag^{t}
John Blackiston
Thomas Oakely
ag^{t}
Lydia Solley adm^{rx}
Benj^{a} Solly

these foure causes agreed.

May the 6th 1675.

Upon the Petition of Henry Mitchell that being under execution at the Suite of Covell and Groves in the custody of M^{r} Henry Darnall Sheriff of Calvert County and now being like to be turned Over to M^{r} Hill Sheriff of S^{t} Maries County desireing to remaine in the Custody of the Sheriff of Calvert County by which meanes he may the Sooner be capable of Satisfieing the debt due from the petitioner to the Said Covell and Groves. The Petition was then granted.

Richard Keene
ag^{t}
Thomas Dent Adm^{r}
W^{m} Ditton

Thomas Dent Administrator of the goods and Chattells of William Ditton merchant deceased was attached to answer unto Richard Keene of a plea of trespas upon the case.

And whereupon the Said Richard Keene by Robert Ridgely his Attorny complaineth that whereas the Said William the twelfth day of March One thousand Six hundred Seventy foure being languishing of a grevious distemper in consideration that the Said Richard would take the Said William into his house and there cause him to be carefully looked after and tended in his Said Sicknesse and provid him Such necessary accomodation at his said house as should be fitt for him the Said William did assume upon himselfe and to the Said Richard did faithfully promise that he would well and truly Satisfie and content the Said Richard what he Should deserve And the Said Richard in fact Saith that he did receive the Said William into his house and him there provided for with Such things as were necessary and caused him to be tended and looked after dureing the time of his sickness to say from the twelfth day of March untill the fiftenth day of March then next following for which he did reasonably deserve the Summe of two thousand pounds of tobacco an accompt of the particulars of which the Said Richard here in Court produceth Notwithstanding which the Said William in his life time nor the said Thomas Since his death to whom Administration of all and Singu-
p. 531 lar the goods and chattells of the said William Since his death was

committed the said two thousand pounds of tobacco hath not paid but the Same to pay have denyed and yet doe deny to pay the Same to the damage of the Said Richard three thousand pounds of tobacco and thereupon he bringeth his suite.

Now here at this day to wit the Sixth day of May in the 43th yeare of the Dominion of Caecilius &c came the Said Thomas Dent the Administrator aforesaid in his proper person and Saith nothing in barre or avoidance of the action aforesaid of him the said Richard Therefore it is considered by the Court here that the said Richard Keene recover against the said Thomas of the goods and chattells of the said W^m^ Ditton the summe of two thousand pounds of tobacco together with five hundred & twelve pounds of tobacco costs of Suite.

Samuel Winslow agt Edward Winckles — Edward Winckles late of Talbot County otherwise called Edward Winckles in the County of Talbott was Summoned to answer unto Samuel Winslow merchant of a plea that he render unto him the summe of three thousand One hundred pounds of tobacco which to him he owes and unjustly detaines &c.

And whereupon the Said Samuel by John Rousby his Attorny Saith that whereas the Said Edward the third day of June in the yeare of Our Lord One thousand Six hundred Seventy three did by his certaine bill Obligatory Sealed with the Seale of him the said Edward here in Court produced whose date is the day & yeare abovesaid for the use and On the behalfe of Jonathan Hopkinson bind himselfe his heirs executors admrs and assignes to pay or cause to be paid unto the Said Samuel Winslow merchant his heirs executors admrs or assignes or certaine Attorny the full hole and just Summe of three thousand One hundred pounds of good Sound well conditioned tobacco with casque To be paid upon demand for the which payment to be made in Wye or Miles River the Said Edward did bind himselfe his heirs and assignes haveing already received Satisfaction for the Same Notwithstanding which the said Edward the said Summe of three thousand One hundred pounds of tobacco according to the tenor of the Said bill though often demanded hath not paid but the Same to him to pay hitherto hath denyed and as yet doth deny and refuse to the damage of the Said Samuel five thousand pounds of tobacco and thereupon he brings his suite.

And the aforesaid Edward here at this day to wit the Sixth day of May in the 43th yeare of the Dominion of Caecilius &c by Vincent Lowe his Attorny comes and defends the force and injury when &c and Saith nothing in barre or avoidance of the aforesaid action of the aforesaid Samuel by which the Said Samuel remaineth against the said Edward thereupon undefended Therefore it is considered

Liber M M that the aforesaid Samuel recover ag^{t} the Said Edward his debt aforesaid and his damages by reason of the detaineing of the same debt unto five hundred thirty five pounds of tobacco to him the said Samuel of his assent by the Court adjudged And the aforesaid Edward in mercy &c.

John Newton of Charles County being One of the jurors in the cause betweene Garret Vansweringen plaintiff & John Quigley def^{t} and not appeareing at the delivery of the verdict in Court fined 500 ℔ tob̄.

p. 532 Garret Vansweringen
ag^{t}
John Quigley

Memorandum That this present Court to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius Annoꝗ Dom̄ 1674 came here unto Court Garret Vansweringen by Kenelm Cheseldyn his Attorny and exhibiteth here into Court his certaine bill against John Quigley Gent one of the Attornyes of this Court of a plea of trespas upon the case.

And whereupon the Said Garret by Kenelm Cheseldyn his Attorny Complaineth that whereas the Said Garret at the Speciall instance and request of the Said John from the tenth day of July in the 43th yeare of the Dominion of Cacilius &c Annoꝗ Dom̄ 1674 untill the tenth day of January then next following did disburse and pay to Severall persons for the proper accompt of the Said John Severall Summes of tobacco amounting in the whole to the Summe of twenty thousand two hundred and Seventy pounds of tobacco a particular whereof by the Said Garret is here in Court produced In consideration whereof the Said John did assume upon himselfe and to the said Garret did faithfully promise that he the said John the Said summe of twenty thousand two hundred and Seventy pounds of tobacco to him the Said Garret would well and truly content pay & satisfie when thereunto required Notwithstanding which the said John Quigley his promise and assumption So as aforesaid made not regarding but deviseing & fraudulently him the Said Garret in this behalfe craftily and Subtilly to deceive and defraud the said twenty thousand two hundred & Seventy pounds of tobacco to him the said Garrett according to his promise and assumption aforesaid in forme aforesaid made though often thereunto required hath not paid or Satisffied but the same to pay or satisfie hath denyed & refused and as yet doth deny and refuse to pay the Same to the damage of the said Garret twenty eight thousand pounds of tobacco & thereupon he brings his suite.

And the Said John Quigley by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of

Speakeing hereunto untill next Provinciall Court and the same day Liber M M is given to both parties. Now here at this day to wit the Seventh day of May in the 43th yeare of the Dominion of Caecilius &c came the said Garret by his Attorny aforesaid and the said John in his proper person Came likewise and the said John Saith that he did not assume upon himselfe and to the Said Garret make such promise as the said Garrett hath above declared and of this he putts himselfe upon the Country and the plaintiff likewise Therefore Comand is given to the Sheriff that he cause to Come here twelve &c Att which said Seventh day of May in the yeare aforesaid came the said Jurors to wit Walter Hall Jn° Newton Morgan Jones ffrancis Anketill George Marshall Edward Jolly David Driver Joseph Tilley Tobias Wells Edward Roe Thomas Price & Raymond Stapelfort who being impannelled Sumoned & Sworne to Say the truth of and in the p. 533 premises upon their Oathes doe Say Wee find for the plaintiff fifteen thousand nine hundred twenty eight pounds of tobacco with costs Therefore it is considered by the Court here that the Said Garret recover against the said John Quigley aswell the Summe of fifteene thousand nine hundred twenty eight pounds of tobacco for his damages by Occasion of the trespas aforesaid as also the summe of pounds of tobacco costs of Suite and the said John in mercy &c.

Garrett Vansweringen
agt
John Quigley

Memorandum That this present Court to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1674 Came here into Court Garret Vansweringen by Kenelm Cheseldyn his Attorny and exhibiteth here into Court his certaine bill against John Quigley Gent One of the Attornyes of this Court of a plea of trespas upon the case.

And whereupon the Said Garret by Kenelm Cheseldyn his Attorny complaineth that whereas the said John Quigley the eight and twentith day of October in the three and fortith yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ One thousand six hundred Seventy foure in consideration that the said Garrett at the speciall instance and request of him the said John delivered unto him the Said John to the use and behoofe of him the said Garret divers bills Orders of Court and accompts of Severall persons for Severall Summes of tobacco due and Oweing to the Said Garret amounting in the whole to the summe of eight thousand Seaven hundred Sixty and Six pounds of tobacco a particular whereof is by the Said Garret here in Court produced the Said John Quigley did assume upon himselfe and to the said Garret did faithfully promise that he the said John when thereunto demanded would returne the Said bills Orders

Liber M M of Court and accompts unto him the said Garret in like manner as he received them from him the Said Garret or the tobacco due from the said persons upon the Said bills Orders of Court and accompts So soone as he Should receive it of them that he would pay it to the said Garret or his Order And the Said Garret in fact Saith that he trusting to the faithfull promise of the said John did deliver unto him the Said John the aforesaid bills Orders of Court and accompts amounting in the whole to the said summe of Eight thousand Seaven hundred Sixty & Six pounds of tobacco as aforesaid Notwithstanding which the said John Quigley his promise and assumption in that behalfe not regarding but endeavouring and fraudulently intending him the said Garret to defraud and deceive the Said bills Orders of Courts and accompts as aforesaid according to his promise hath not returned nor the tobacco due upon the Same hath not paid though often thereunto required but the same to pay or deliver againe to him the said Garret hath altogether denyed and Still doth deny to the damage of the said Garret twelve thousand pounds of tobacco And thereupon he bringeth his suite.

And the said John Quigley by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the same day is given to both parties here, Now here at this day to wit the Seventh day of May in the 43th yeare of the Dominion of Caecilius &c came the said Garret Vansweringen by his Attorny aforesaid & the said
p. 534 John Quigley in his proper person came likewise and the Said John Saith that he did not assume upon himselfe and to the Said Garret make Such promise as the Said Garret hath above declared and of this he putts himselfe upon the Country and the plaintiff likewise Therefore Com̃and is given to the Sheriff that he cause to come here twelve &c which said jurors names are as follow[eth] John Gittings Thomas Bowdle Thomas Courtney Wm Worgen Edward Dorsey Thomas Doxey Wm Asbestone Jno Askin Wm King Richard Bayly Jno Doxey and Nicholas Guither who being impannelled Sumōned & Sworne were dismist the parties being content to putt themselves upon the judgmt of the Court and the judgment of the Court is that there is no cause of action Therefore it is considered by the Court here that the said John recover against the said Garret the summe of pounds of tobacco for his costs of Suite in this behalfe expended and the said Garret in mercy for his false claime.

And the said John Quigley did then promise to deliver the said Garret the bills Specified in the declaration aforesaid together with the Orders of Court & accompts or else to confesse judgment for the same at the next Provinciall Court.

Com̃and was given the Sheriff of St Maries County that he cause to come here twelve good and lawfull men of this Province diligently

Liber M M

to enquire what damages Edward Conery hath susteined by Occasion of the breach of a Covenant made betweene Thomas Gerard deceased of the One part & the said Edward Conery of the Other part. Now here at this day to wit the Seventh day of May in the 43th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1675 came the said Edward by Robert Carvile his Attorny and the jurors of that jury likewise came to wit John Gittings Thomas Bowdle Thomas Courtney Wm Worgan Edward Dorsey Thomas Doxey Wm Asbestone Jno Askin Wm King Richard Bayly John Doxey and Nicholas Guither who being impannelled Summoned and Sworne to enquire of the damage aforesaid upon their Oathes doe say they find for the Said Edward Conery for damage & attendance five and twenty thousand pounds of tobacco besides costs of Suite.

Therefor it is considered by the Court here that the said Edward recover against the estate of the Said Thomas Gerard aswell the said Summe of five and twenty thousand pounds of tobacco for his damages by Occasion of the trespas aforesaid as also the summe of two thousand foure hundred thirty foure pounds of tobacco costs of Suite

Thomas Mountfort
agt
Thomas Bowdle
Richard Hallett
agt
Wm Dunkerton
Walter Tucker & Compa
agt
the Same.
Walter Tucker & al
agt
the Same.
these foure causes continued untill next Court

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William Melton
agt
John Throster
Thomas Wynne
agt
John Rawlings
these two causes continued untill next Court.

Benja Hunton
agt
George Gunnell
the action abates the plt being dead.

John Slater
agt
Thomas Dieas
the Sheriff of Somerset County in misericordia

Liber M M

Robert Carvile
ag^t
John Rawlins

Robert Carvile
ag^t
Arthur Wright

Richard ffountaine
ag^t
Henry Hawkins

Benj^a Bennitt
ag^t
Richard Ball

Edward Roe
ag^t
Jeremiah Eaton &
John Barke.

James Nuthall
ag^t
Richard Bayly

Marmaduke Semme
ag^t
John Shapley

Garret Vansweringen
ag^t
Henry Smith

George Charlsworth
ag^t
Charles Delaroch

W^m West
ag^t
Nehemiah Blackiston

John Blackiston
ag^t
George ffinion

Marmaduke Semme
ag^t
W^m King

Richard Moy
ag^t
George Powell

these thirteene causes continued untill next Court

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Richard Royston
ag^t
Richard Bayly

Samuel Hatton
ag^t
ffrancis Holland

Morgan Jones
ag^{t}
John Rawlins

Philip Calvert
ag^{t}
Peter Eure & al.

Thomas Chapman
ag^{t}
John Baker

John Throster
ag^{t}
W^{m} Melton

Charles James
ag^{t}
Thomas Dale & ux

Richard Keene
ag^{t}
Mathias Decosta

Henry Parker
ag^{t}
Henry Turner

Henry Parker
ag^{t}
Henry Bradley

Richard Ambrose
ag^{t}
John Allen

Walter Hall
ag^{t}
John Noble

Evan Carew
ag^{t}
Marke Cordea

Thomas Wardner
ag^{t}
W^{m} Durkin & W^{m} Crane

Evan Carew
ag^{t}
Marke Cordea

George Beckwith
ag^{t}
Thomas Mountfort

these Sixteen causes continued untill the next Provinciall Court.

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John Hudson agt Thomas Taylor	this cause being upon an appeale from Dorchestrr County Court & the plaintiff not prosecuting a procedendo is granted & costs allowed the defendant nine hundred & forty pounds of tobacco.
Jno Ingram admr George Harris agt Mathew Stone	these Six causes continued untill next Court.
John Browne agt Wm Russell	
Tobias Wells executr Mary Pyne agt John Larkin	
Evan Carrew agt Robert Proctor	
Thomas Hussey agt Benja Rozer	
Roger Baker admr Jno Jubbar agt Thomas Gant.	
Roger Baker agt John Pott	the Sheriff of Calvert County in misericordia
the Same agt Henry Cox	
the same agt John Atkey	
Samuel Millington agt George Beckwith	this cause continued by consent untill next Court
John Offley agt Jno Gittings admr Jno Wingfeild	these two causes Continued untill next Court.
Charles James agt Thomas Williams.	

Liber M M
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Robert Lashley
ag^{t}
John Bigger

Stephen Sealous & al
ag^{t}
Robert Blinckhorne

Stephen Tully
ag^{t}
Jn^{o} Darby & W^{m} Hensley

John Emet
ag^{t}
Thomas Walker

George Beckwith
ag^{t}
Jn^{o} Luellin & Tho: Lomax

Bryan Daley
ag^{t}
George Charlesworth

the Same
ag^{t}
the Same

George Marshall adm^{r}
Joseph Brough
ag^{t}
Garret Vansweringen

Thomas Baile
ag^{t}
Charles Delaroch

David Driver
ag^{t}
Jn^{o} Bearecroft

Jn^{o} England & Tho: Jones
ag^{t}
Lydia Solly adm^{rx} Benj^{a}
Solly

Thomas Jones
ag^{t}
John Jordaine

these twelve causes continued untill next Court

Garret Vansweringen
ag^{t}
George Marshall

Marke Cordea
ag^{t}
Thomas Baile

the Sheriff of S^{t} Maries County in Misericordia

Liber M M Thomas Spinke
ag^t
Jeane Paine
agreed.

p. 539 Christopher Cooke
ag^t
William Tailer
Ann Palin execut^{rx} Jn^o Palin
ag^t
W^m Tailer
Thomas Bennit
ag^t
Richard Weller
George Tihe
ag^t
George Oldfeild
W^m Dare
ag^t
James Nuthall
Thomas Doxey
ag^t
George Marshall adm^r Joseph Borough
Garret Vansweringen
ag^t
John Quigley
Hugh Roy
ag^t
John Quigley
Stephen Tully
ag^t
John Quigley
Timothy Lowe
ag^t
Thomas Ball
Thomas Hedge
ag^t
Garret Vansweringen
these eleaven causes continued untill next Court.

John Cassock
ag^t
Jn^o Lemaire & John Newton
the Sheriff of Charles County in misericordia for Lemaire.

Liber M M

John Denis
ag^t
George Oldfeild
Continued untill next Court.

Lydia Solly adm^r Benj^a
Solly
ag^t
Richard Speed
the Same
ag^t
the Same
these two causes agreed.

Thomas Notley
ag^t
Nehemiah Blackiston

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Whereas Thomas Notley Gent One of the Attornyes of this Court the eleventh day of April One thousand Six hundred Seventy three Obtained judgm^t here ag^t Nehemiah Blackiston for nine thousand Seven hundred & nineteene pounds of tobacco debt as also the sum̃e of three hundred fifty two pounds of tobacco costs of Suite for which execution is not yet issued It was therefore Comanded the Sheriff of S^t Maries County that he make Knowne to the said Nehemiah Blackiston that he be & appeare here the twentith day of April now last past to shew cause if any he have why execution should not issue against him, which Said April Court was by his Lop̄ps writ of adjournment adjourned untill the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c which day the Same Sheriff maketh returne that he hath made Knowne to the said Nehemiah that he be & appeare at the day & place as by the same writ he was com̃anded in the presence of John Shancks & Thomas Gerard But the said Nehemiah came not but made default therefore it is considered by the Court here that execution issue against him for the debt & costs aforesaid as also the summe of five hundred and foure pounds of tobacco more for his costs and charges Sithence expended & laid out

Pope Alvey
ag^t
John Sanders
Joshua Williamson
ag^t
W^m Nichols
John Cassock
ag^t
John Newton
these three causes agreed.

Philip Udall
ag^t
Henry Mitchell

Whereas Philip Udall the twelfth day of November Anno Dom̃ 1673 recovered judgment against Henry Mitchell for the summe of three thousand

Liber M M

pounds of tobacco debt as also Seven hundred and Seventeene pounds of tobacco costs of Suite for which execution hath not yet issued It was therefore Com̃anded the Sheriff of Calvert County that he make Knowne to the Said Henry Mitchell by good and lawfull men of his Bailiwick that he be here the twentith of April last past to shew cause if any he have why execution should not issue. against him which Said April Court was adjourned untill the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c at which day the Same Sheriff maketh returne that he hath made Knowne to the Said Henry Mitchell that he be and appeare at the day & place as by the same writ he was required But the said Henry Came not but made default Therefore it is considered by the Court here that execution issue against the Said Henry for the debt and costs aforesaid as also for the summe of five hundred ninty nine pounds of tobacco more for his costs and charges in this behalfe Sithence laid Out & expended

Edward Tarleton
agt
George Marshall
} agreed.

p. 541 Margarett Penry admrx
ffrancis Wright
agt
Jacob Young
} Com̃and was given the Sheriff of Cecil County that he take Jacob Young if he should be found in his Bailiwick & him Safe Keepe So that he have his body here the twentith day of April last past which Said April Court was adjourned untill the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c.

Att which Said fourth day of May the Same Sheriff returneth that the Said Jacob Young is not found in his Bailiwick whereupon the said Margarett by Robert Ridgely her Attorny prayed an attachment against the estate of the Said Jacob Young according to act of Assembly in that cause made and provided and it is granted unto her.

Margarett Penry admrx
ffrancis Wright
agt
Jacob Young
} Com̃and was given to the Sheriff of Baltemore County that he take Jacob Young if he Should be found in his Bailiwick and him Safe Keepe So that he have his body here the twentith day of April last past wch Said April Court was by his Lop̄ps writ adjourned untill the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c At which Said fourth day of May the Same Sheriff maketh returne that the Said Jacob Young is not found in his Bailiwick whereupon the Said Margarett by Robert Ridgely her Attorny

prayed an attachment against the estate of the Said Jacob according Liber M M to act of Assembly in that case made and provided and it is granted unto her.

Garret Vansweringen
agt
George Powell

Comand was given the Sheriff of St Maries County that he take George Powell late of his County Carpenter if &c to answer unto Garret Vansweringen in a plea that he render unto him the Summe of twelve hundred and fifty pounds of tobacco which to him he oweth and unjustly deteineth which said Sheriff maketh returne here the fourth day of May in the 43th yeare of his Lopp̄s Dominion &c that the said George Powell is not found in his Bailiwick whereupon the Said Garret by Kenelm Cheseldyn his Attorny prayeth an attachment against the estate of the Said George Powell according to Act of Assembly in that case made & provided and it is granted him.

Garret Vansweringen
agt
John Hawford

Com̄and was given the Sheriff of St Maries County that he take John Hawford late of his County otherwise called John Hawford of the Province of Maryland Carpenter if &c & him Safe Keepe So that he have his body here the twentith day of April last which Said April Court was adjourned till the fourth day of May in the 43th yeare of his Lopp̄s Dominion &c Att which Said fourth day of May the Same Sheriff returneth that the said John Hawford is not found in his Bailiwick to answer unto Garret Vansweringen in a plea that he render unto him the summe of eight hundred fifty Seaven pounds of tobacco which to him he oweth & unjustly deteineth whereupon the said Garret by Kenelm Cheseldyn his Attorny prayeth an attachment against the estate of the said John according to Act of Assembly in that case made & provide & it is granted him.

Garrett Vansweringen
agt
Henry Gibson

Com̄and was given the Sheriff of St Maries p. 542 County that he take Henry Gibson late of his County otherwise called Henry Gibson of St Maries County in the Province of Maryland Carpenter if &c and him safe Keepe So that he have his body here the twentith day of April last past to answer unto Garrett Vansweringen in a plea that he render until him the summe of Eight hundred twenty foure pounds of tobacco which to him he oweth & unjustly deteineth which said April Court was adjourned until the fourth day of May in the 43th yeare of his Lopp̄s Dominion &c at which said fourth day of May the same Sheriff returneth that the said Henry Gibson is not found in his Bailiwick whereupon the Said Garret by Kenelm Cheseldyn his Attorny prayed

Liber M M an attachment against the estate of the Said Henry according to Act of Assembly in that case made & provided and it is granted him.

Stephen Murty
ag^{t}
W^{m} Harris

the def^{t} appeares by Mathew Warde his Attorny and imparle untill next Court.

James Beamont
ag^{t}
John Allen

Com̃and was given the Sheriff of Charles County that he take John Allen if &c and him safe Keepe So that he have his body here the twentith day of April last past to satisfie unto James Beamont aswell the summe of twenty eight thousand nine hundred & forty pounds of tobacco a certaine debt recovered against him here the ninth day of December last past as also the summe of nine hundred and Seaven pounds of tobacco costs of Suite whereof he is convict Which Said April Court was by his Lop̄ps writ adjourned untill the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c At which Said fourth day of May the same Sheriff returne that he hath taken the said John Allen whose body he hath ready at the day and place as by the Same writ he was com̃anded but the Said John Allen came not Therefore it is considered that unlesse the Said Sheriff bring the Said John Allen at the next Provinciall Court that he be amercied.

Edward Tarleton
ag^{t}
George Marshall
Christopher Batson
ag^{t}
John Stephens
Raymond Stapelfort
ag^{t}
Thomas Taylor

these three causes agreed.

Robert Crosman
ag^{t}
John Waghop

the Sheriff of S^{t} Maries County haveing returned a Cepi & the def^{t} not appeareing Ordered that unlesse he appeare next Court that the Sheriff be amerced.

p. 543 John Wynne
ag^{t}
Abell James

this action abates the def^{t} being dead.

John Bigger
ag^{t}
Charles Gregory

Com̃and was given the Sheriff of S^{t} Maries County that he take Charles Gregory late of his County otherwise called Charles Gregory of

Charles County in the Province of Maryland Chirurgeon if he should be found in his Bailiwick and him Safe Keepe So that he have his body here the twentith day of April now last past to answer unto John Bigger in a plea that he render unto him the summe of nineteene hundred forty One pounds of tobacco which to him he oweth & unjustly deteineth Now here at this day to wit the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c Annoqȝ Dom̄ One thousand Six hundred Seventy five the same Sheriff maketh returne that the said Charles Gregory is not found in his Bailiwick whereupon the said John Bigger by Kenelm Cheseldyn his Attorny prayeth an attachment against the estate of the Said Charles and it is granted him according to the Act of Assembly in that case made and provided. Liber M M

Joshua Doyne
ag^{t}
Abell James

this action abates the def^{t} being dead

John Balley
ag^{t}
Philip Lynes
John Baker
ag^{t}
Edmund Lindsey

the def^{ts} by Benjamin Rozer their Attorny appeares & imparle untill next Court.

Marmaduke Semme
ag^{t}
Thomas Witter

the def^{t} by Rob^{t} Ridgely his Attorny appeares & imparle untill next Court.

Joshua Guibert
ag^{t}
Daniel Hamond
John Allen
ag^{t}
Thomas Simpson
Edward Tarleton
ag^{t}
Marmaduke Semme
Thomas Galter
ag^{t}
Marmaduke Semme
George Beckwith
ag^{t}
Thomas Lomax.

the def^{ts} appeare by Kenelm Cheseldyn their Attorny and imparle till next Court

Joshua Guibert
ag^{t}
Rowland White

the Sheriff of S^{t} Maries County haveing returned a Cepi & the def^{t} not appeareing Ordered that unlesse the def^{t} appeare next Court the Sheriff be in misericordia. p. 544

Liber M M

John Wells
agt
Thomas Chandler & Wm
Russell
the Same
agt
the Same
John Quigley
agt
John Blackiston
Charles Calvert
agt
Stephen Tully
Jno Cage
agt
Charles Gregory
Edward Roe
agt
Peter Underwood & Jno
Lewis
Thomas How
agt
Wm Standley

these Seaven causes agreed.

John Quigley
agt
Mathew Stone.

Com̄and was given to the Sheriff of Charles County that he take Mathew Stone if &c So that he have his body here the twentith day of April last past to satisfie unto John Quigley the summe of Sixteen hundred pounds of tobacco a certaine debt recovered against him the tenth day of ffebruary last past Now here at this day the said Sheriff maketh returne that he hath taken the said Mathew Stone whose body he hath ready at the day & place as by the same writ he was required But the said Mathew Stone came not Whereupon it was this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c Ordered that unlesse that the Said Sheriff Benjn Rozer bring the body of the said Mathew Stone here at the next Provinciall Court to satisfie the debt aforesaid that he be amerced.

Jno England & Thomas
Jones
agt
Randall Revell

Com̄and was given the Sheriff of Somersett County that he take Randall Revell if &c and him safe Keepe So that he have his body here the twentith day of Aprill in the 43th yeare of his Lop̄ps Dominion &c to satisfie unto John England & Thomas Jones the summe of twelve thousand Six hundred Eighty One pounds of tobacco a certain debt re-

Liber M M
p. 545

covered against him the fifteenth day of April last past as also the summe of fifteen hundred and foure pounds of tobacco costs of suite Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ One thousand six hundred Seventy five the Same Sheriff returneth that he hath taken the said Randall Revell whose body he hath at the day and place as by the same writ he was required but the Said Randall came not Whereupon it is Ordered that unlesse Wm Coleborne Sheriff of the Said County bring the body of the said Randall here at the next Court to satisfie the debt and costs aforesaid that he be amerced.

Edward Roe
agt
Thomas Philipps

Wm Coursey Sheriff of Talbott County haveing returned a Cepi in this cause & the deft not appeareing Ordered that unlesse he appeare next Court the Sheriff in misericordia

Daniel Jenifer
agt
John Tant

John Tant late of St Maries County otherwise called John Tant of St Maries County in the Province of Maryland Taylor was sum̄oned to answer unto Daniel Jenifer of a plea that he render unto him two thousand pounds of tobacco which to him he oweth and unjustly deteineth

And whereupon the Said Daniel by Robert Carvile his Attorny Saith that whereas the said John upon the tenth day of ffebruary in the yeare of Our Lord One thousand six hundred Seventy three by his certaine bill or writeing Obligatory Sealed with the Seale of him the Said John and here in Court produced whose date is the day and yeare aforesaid did confesse and acknowledge himselfe to Owe and Stand indebted to the Said Daniel Jenifer the full and just Summe or quantity of two thousand pounds of good Sound merchantable tobacco and caske to be paid to the Said Daniel or to his certaine Attorny his executors admrs or assignes at Some convenient place in St Maries River in St Maries County before or upon the tenth day of October then next ensueing Yet notwithstanding the Said John the Said two thousand pounds of tobacco to him the Said Daniel according to the tenor of the Said bill though often thereunto requested hath not paid or Satisfied but the same to pay hath hitherto denyed and Still doth deny to pay the same to the damage of the Said Daniel three thousand pounds of tobacco And thereupon he bringeth his Suite.

And the Said John Tant by Kenelm Cheseldyn his Attorney cometh & defendeth the force and injury when &c and Saith nothing in barr or avoidance of the action aforesaid of him the said Daniel whereupon the Said Daniel remaineth against the said John thereof undefended therefore it is considered by the Court here the fourth day of May in the 43th yeare of the Dominion of Caecilius &c that

Liber M M the Said Daniel recover ag^t the said John aswell the Summe of two thousand pounds of tobacco the debt aforesaid as also the Summe of Seaven hundred thirty foure pounds of tobacco for costs of Suite and the Said John in mercy &c.

To Kenelm Cheseldyn One of the Attornyes of the Provinciall Court These presents are to impower you and I doe hereby desire you to appeare for me at the suite of M^r Daniel Jenifer in an action of debt & to plead to the same or to lett judgm^t passe by nihil dicit or by default or any other way as in your discretion you thinke convenient & for So doeing this shall be your Sufficient warrant
Wittnes Vincent Lowe Jn^o Baker. John Tant.

p. 546 Daniel Jenifer
ag^t
John Pott
} this Suite abates the def^t being dead.

Thomas Mountfort
ag^t
Samuel Hatton
} the def^t by Vincent Lowe his Attorny appeares & imparles untill next Court.

John Allen
ag^t
Richard Broughton
the Same
ag^t
the Same
Thomas Jones
ag^t
Richard Broughton
} the def^t by Robert Ridgely his Attorny appeares and imparles untill next Court.

John Allen
ag^t
W^m Boyden & ux
Jn^o Edmondson
ag^t
Rob^t Williams & W^m Osborne
Thomas Notley
ag^t
John Waghopp
Geo: Rumsden & John Partis
ag^t
Rich: Ambrose & Jn^o Harrison
Edward Roe
ag^t
W^m Willoughby
} these five causes agreed.

Liber M M

Wm Dare admr John Parker
agt
Tobias Wells executr Mary Pine
Wm Dare admr John Parker
agt
John Pollard

the defts by Kenelm Cheseldyn their Attorny appeares & imparle till next Court.

John Edmondson
agt
Thomas Vaughan

Wm Coursey Sheriff of Talbott haveing returned & Cepi & the deft not appeareing Ordered yt unlesse the deft appeare next Court the Sheriff in misericordia

p. 547

Henry Verburgh
agt
John Quigley
Christopher Goodhand
agt
Tobias Wells executr Mary Pine

the defts by Robert Carvile their Attorny appeares & imparle untill next Court

Thomas Notley
agt
David Driver
the Same
agt
Robert Cole
the Same
agt
Wm Rosewell
Henry Coursey
agt
Wm ffinney
John Bigger
agt
Robert Turner

these five causes agreed.

Baker Brooke
agt
Wm Hemsley

the deft by Mathew Warde his Attorny appeares & imparles untill next Court.

Liber M M Jerome White
agt
William Hemsley
Jerome White
agt
Wm Coursey
these two actions abate the plaintiff being dead.

John Ingram
agt
Wm Ebden
Michael Miller
agt
Thomas Ramsey
Nathaniel Stiles Sheriff of Cecil County haveing returned Cepi in these two actions & the defts not appeareing Ordered that unlesse they appeare next Court the Sheriff amerced.

John Ingram admr
George Harris
agt
Lodowick Williams
the Same
agt
the Same
the deft by Kenelm Cheseldyn his Attorny appeares & imparle untill next Court.

p. 548 George Beckwith
agt
Arthur Wright
John Bowles
agt
Josias ffendall
Jno Turner & al̃
agt
Charles Gregory & al̃.
the Same
agt
the Same
Christopher Rousby
agt
Joseph Edloe
Joseph Sanders
agt
Cornelius Howard
George Charlsworth
agt
Stephen Cannon
these Seaven causes agreed.

Michael Miller
agt
Christopher Barnes
Com̄and was given the Sheriff of Kent County that he take Christopher Barnes late of Kent County otherwise called Christopher Barnes of

Talbott County planter if he Should be found in his Bailiwick and him Safe Keepe So that he have his body here the twentith day of April last past to answer unto Michael Miller in a plea that he hold with him Covenant according to the forme force and effect of a certaine letter of Attorny made by the Said Christopher to him the said Michael Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c came the Said Michael by Kenelm Cheseldyn his Attorny and prayed the returne of the writ aforesaid and the Same Sheriff Saith that the Said Christopher is not found in his Bailiwick whereupon the said Michael prayed an attachment against the estate of the Said Christopher according to Act of Assembly in that case made and provided and it is granted him Liber M M

Henry Tripp
ag^{t}
Peter Underwood
Henry Tripp
ag^{t}
John Ingram

the def^{ts} by Vincent Lowe their Attorny appeare & imparle untill next Court.

Henry Tripp
ag^{t}
Richard Bayly

Com̄and was given to the Sheriff of Talbott County that he take Richard Bayly late of Calvert County otherwise called Richard Bayly of Talbott County in the Province of Maryland Inholder if he should be found in his Bailiwick and him Safe Keepe So that he have his body here the twentith day of April now last past to answer unto Henry Tripp in a plea that he render unto him the Summe of thirty two thousand eight hundred and eight pounds of tobacco which to him he oweth and unjustly deteineth Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c the Same Sheriff maketh returne that the said Richard Bayly is not found in his Bailiwick whereupon the Said Henry by Kenelm Cheseldyn his Attorny prayed an Attachment against the estate of the said Richard Baily according to Act of Assembly in that case made and provided and it is granted unto him. p. 549

Charles Calvert Esq
ag^{t}
Michael Catterton

Com̄and was given to the Sheriff of Calvert County that he take Michael Catterton late of Calvert County planter otherwise called Michael Catterton of Calvert County in the Province of Maryland planter if he should be found in his Bailiwick to answer unto Charles Calvert Esq Leivten̄nt Gen^{ll} and Cheife justice of this Court according to the liberties and priviledges of Such like cheife justices of the same Court allowed &c in a plea that he render unto him the full and just Summe of two thou-

Liber M M sand foure hundred pounds of good Sound merchantable tobacco in caske which to him he oweth & unjustly deteineth Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c the Same Sheriff maketh returne that the Said Michael Catterton is not found in his Bailiwick whereupon the said Charles Calvert by Kenelm Cheseldyn his Attorny prayed an attachment against the estate of the Said Michael according to Act of Assembly in that case made and provided & it is granted unto him

Henry Tripp
agt
Wm Worgan
Thomas Tailor planter
agt
Thomas Taylor Gent
the Same
agt
the Same
the defts appeare by Robert Carvile their Attorny and imparle untill next Court.

Charles Calvert Esq
agt
Michael Catterton
Com̄and was given the Sheriff of Calvert County that he take Michael Catterton of Calvert County planter otherwise called Michael Catterton of Calvert County in the Province of Maryland planter if he should be found in his Bailiwick to answer unto Charles Calvert Esq Leivteñnt Generall and Cheife justice of the Provinciall Court according to the libertyes and priviledges of Such like cheife justices of the Same Court allowed &c in a plea that he render unto him the quantity of fifteen bushells of good Sound Sheald indian Corne and two Capons which to him he oweth and unjustly deteineth Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &[c] the Same Sheriff maketh returne that the Said Michael Catterton is not found
p. 550 in his Bailiwick whereupon the Said Charles Calvert by Kenelm Cheseldyn his Attorny prayed an attachment against the estate of the Said Michael and it is granted unto him.

Charles James
agt
Jonas Davis & ux
the defts appeare by Mathew Warde their Attorny & imparle untill next Court.

Richard Moy
agt
George Wells
Philemon Loyd
agt
John Quigley
the defts appeare by Kenelm Cheseldyn their Attorny and imparle untill next Court.

Vincent Lowe
agt
Wm Thompson
Lidia Solly admrx Benja
Solly
agt
Robert Cole
John Peerce
agt
Thomas Gibson
Thomas Stanley
agt
John Wells.

these foure causes agreed.

Edward Roe
agt
John Ingram
the Same
agt
the Same
the Same
agt
the Same

the deft appeares by Vincent Lowe his Attorny and imparle untill next Court.

Marke Cordea
agt
Thomas Pearce

the deft appeares by Jno Quigley his Attorny & imparle untill next Court

Humphry Warren
agt
John Gerard & Rose
Gerard executrs Tho:
Gerard

Com̄and was given to the Sheriff of St Maries County that he take John Gerard and Rose Gerard widdow late of St Maries County Executors of the last will & Testament of Thomas Gerard Esq; deceased if they should be found in his Bailiwick to answer unto Humphry Warren of a plea that they render unto him the Summe of foure thousand & forty and foure pounds of tobacco which from him they unjustly deteine

Now here at this day to wit the fourth day of May in the 43th p. 551
yeare of the Dominion of Caecilius &c Annoq; Dom̄ One thousand Six hundred Seventy five the Same Sheriff returneth that the said John and Rose Gerard are not found in his Bailiwick whereupon the Said Humphry Warren by Robert Carvile his Attorny prayed an attachment against the estate of the Said Thomas Gerard deceased and it is granted unto him.

Liber M M

John Baker
ag^t
John Tingle

Nathaniel Stiles Sheriff of Cecil County haveing returned a Cepi & the def^t not appeareing Ordered that unlesse he appeare next Court the Sheriff to be in misericordia.

Isaac ffoxcroft
ag^t
Thomas Collen

the def^t by Robert Carvile his Attorny appeares and imparle untill next Court.

John England & Tho: Jones
ag^t
ffrancis Wynn execut^r
W^m Marshall
John Ingram adm^r
George Harris
ag^t
Mathew Stone

the def^{ts} appeare by Benj^a Rozer their Attorny and imparle untill next Court.

Joseph Churnell
ag^t
Leonard Jones

Com̄and was given to the Sheriff of Somersett County that he take Leonard Jones late of Somersett County otherwise called Leonard Jones of Cadgers belonging to the Province of Maryland if he should be found in his Bailiwick to answer unto Joseph Churnell in a plea that he render unto him the Summe of eight thousand pounds of tobacco which to him he oweth and unjustly deteineth. Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1675 the Same Sheriff returneth that the said Leonard Jones is not found in his Bayliwick whereupon the said Joseph by Kenelm Cheseldyn his Attorny prayed an Attachment against the estate of the Said Leonard and it is granted unto him.

Nathaniel Heathcoate
ag^t
Thomas Smithwicke
John Browne
ag^t
W^m Russell
Robert Wollerton
ag^t
Edward Williams
Richard Ambrose
ag^t
John Harrison

these foure causes agreed.

Liber M M
p. 552

Thomas Walker
ag^{t}
W^{m} King

the Sheriff of Calvert County haveing returned a Cepi & the def^{t} not appeareing this cause by consent of the plaintiffs Attorny continued untill next Court.

John Emerson
ag^{t}
W^{m} Hemsley

the def^{t} appeares by Vincent Lowe his Attorny & imparle untill next Court.

Thomas Parsons
ag^{t}
John Lewis
Charles Delaroch
ag^{t}
Thomas Beale

the def^{ts} appeare by Kenelm Cheseldyn their Attorny & imparle untill next Court

Thomas Gerard
ag^{t}
John Gerard & Rose
Gerard Execut^{rs} of
Thomas Gerard deceased

Com̃and was given the Sheriff of S^{t} Maries County that of the goods Chattells or Creditts late of Thomas Gerard Esq deceased if they should be found in his Bailiwick he cause to be made aswell the summe of thirty five thousand pounds of tobacco a certaine debt recovered against John Gerard and Rose Gerard executors of the last will & Testament of the said Thomas Gerard Esq by Thomas Gerard Gent at a Provinciall Court held at the Citty of S^{t} Maries the fiftenth day of ffebruary now last past whereof they are convict as also the Summe of two thousand & eight pounds of tobacco more for his costs and charges in that behalfe laid Out and expended and when he had the Same so made or any part thereof the same to deliver to the Said Thomas Gerard or his Order and that he make Knowne to his Lop̄ps justices here of the execution of the Same writ. Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c the same Sheriff maketh returne of the writ aforesaid that he hath executed of the Creditts late of Thomas Gerard Esq deceased the summe of fourteen hundred pounds of tobacco being part of the Said Summe. Whereupon the Said Thomas Gerard by Robert Carvile his Attorny then prayed an elegit against the goods and Chattells lands & Tenements for the remainder of the debt and costs aforesaid according to the forme of the Statute in that case made and provided and it is granted unto him here.

ffrancis Anketill
ag^{t}
John Anderton
Anthony Male
ag^{t}
W^{m} Worgan

these three causes agreed.

Liber M M Proprietary
agt
Jno Clements

p. 553 John Brookes
agt
George Robotham

Com̄and was given to the Sheriff of Talbott County that he attach any the goods or Chattells of George Robotham if they should be found in his Bailiwick to the Value of fourteen hundred Sixty Six pounds of tobacco and when he had the same attached or any part thereof the same in his Custody to Keepe untill the said George Robotham should by himselfe or his Attorny appeare have the twentith day of April last past to answer unto John Brookes of Dorchester County of a plea that he render unto him the Summe of eleaven hundred pounds of good Sound merchantable tobacco in caske which to him he oweth & unjustly deteineth Now here at this day to wit the Sixth day of May in the 43th yeare of the Dominion of Caecilius &c came the said George Robotham in his proper person and saith as to nine hundred and thirty pounds of tobacco part of the Said debt of eleaven hundred pounds of tobacco he cannot gainsay for that he oweth the same to the Said John Brookes whereupon the said John remaineth against the Said George thereof undefended Therefore it is considered by the Court here that the said John recover agt the said George the said Summe of nine hundred and thirty pounds of tobacco as also the summe of Six hundred Sixty Six pounds of tobacco for his costs and charges in this behalfe laid Out and expended but So as execution thereof Stay untill October Court next.

Charles Calvert Esqꝫ
agt
John Wells
the Same
agt
the Same

the deft appeares by Kenelm Cheseldyn his Attorny & imparle untill next Court.

Wm King
agt
Wm Dare admr
Jno Parker

the deft appeares by Robert Carvile his Attorny and imparle untill next Court.

Kenelm Cheseldyn
agt
Wm Hill
John England
agt
Simon Pickmer

these two causes agreed

John Quigley agt Jacob Jenifer Joseph Hext agt Pope Alvey Samuel Winslow agt George Colleson	the defts appeare by Robert Carvile their Attorny & imparle untill next Court.
Stephen Senlous & Tho: Purnell agt Robert Blinckhorne	the deft appeares by Kenelm Cheseldyn his Attorny & imparles untill next Court.
Thomas Crundall agt Josias ffendall Richard Hassell & Tho: Crundall agt Josias ffendall	the Sheriff of Charles County haveing returned non est inventus in these two actions Kenelm Cheseldyn Attorny for the plaintiffs prayed an attachment agt the estate of the said Josias ffendall, whereupon it is Ordered this day to wit the Seventh day of May in the 43th yeare of the Dominion of Caecilius &c that unlesse the said Josias ffendall putt in Security to abide judgment in these two actions within One month next ensueing that an attachment be granted the plaintiff
James Neale agt Hugh ONeale	the deft by George Oldfeild his Attorny appeares and imparles untill next Court.
Robert Carvile agt John Smith John Harris agt Richard Ball Andrew Price agt Richard Gorsuch Thomas Hawkins agt Edward Webb	these foure causes agreed.
Samuel Winslow agt Wm Ladds	the deft by Kenelm Cheseldyn his Attorny appeares and imparle untill next Court.

p. 554

Liber M M Benony Eaton
ag^{t}
John Slaughter

the def^{t} by Mathew Warde his Attorny appeares and imparles untill next Court.

Joseph Eaton
ag^{t}
John Mitchell James Cleyland & Edward Winckles

W^{m} Coursey Sheriff of Talbott County haveing returned his writt that he hath taken John Mitchell and that the said James Cleyland & Edward Winckles are not found in his Bailiwick and the said John Mitchell not appeareing Ordered that unlesse the said Mitchell appeare next Court the Sheriff be in misericordia

Stephen Perdieu
ag^{t}
Peter Bawcomb & Jno Stanley

the def^{t} Stanley appeares by Robert Ridgely his Attorny and imparle till next Court.

p. 555 Charles Calvert Esqȝ
ag^{t}
William Stevens

Memorandum that this Court to wit the fourth day of May in the forty third yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1675 Came the Hon^{ble} Charles Calvert Esqȝ Cheife justice of the Same Court by Robert Carvile his Attorny and exhibiteth here into Court his certaine bill against William Stevens Gent in a plea of trespas upon the case.

And whereupon the Said Charles Calvert by Robert Carvile his Attorny complaineth that whereas the Said William was indebted to the said Charles in the Summe of eleaven pounds five shillings and foure pence of currant mony of England and being So indebted the Said William did in consideration thereof On the twenty Seventh day of May in the forty Second yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1674 draw One bill of exchange according to the Custome of merchants and Signed with the proper hand of the Said William and directed to One M^{r} John ffoster of London for the payment of the said eleven pounds five shillings and foure pence at tenn dayes Sight to the Said Charles or his Order and the Said William did then and there assume upon himselfe and to the Said Charles did faithfully promise that if the said John ffoster the Said eleaven pounds five shillings and foure pence to him the Said Charles or his Order should not well and truly pay according to the tenor of the Said bill of exchange that he the Said William would well and truly pay the same when thereunto required And the Said Charles in fact Saith that On the two and twentith day of July One thousand Six hundred Seventy foure he did Order the

Said bill of exchange by endorsement on the backside thereof according to the Custome of merchants under the proper hand of the Said Charles to be paid by the Said John ffoster unto M^r^ Henry Meese or his Order And that the said Henry Meese On the third day of the month October Anno Dom̃ 1674 in the twenty Sixth yeare of the Reigne of Our Soveraigne Lord Charles the Second by the grace of God King of England Scotland ffrance and Irland defender of the ffaith &c by Nicholas Hayward Notary and Tabellion Publique dwelling in London by Authority of his Said Ma^tie^ admitted and Sworne went Severall times to the house of M^r^ John ffoster Scituate in Gratious Street London where Speakeing to his man Servant he demanded of him if the Said M^r^ ffoster were within or if he would pay the Originall bill of exchange of eleven pounds five shillings and foure pence whereupon he answered that M^r^ ffoster his master was not within but haveing informed him of the Said bill he told him respondent that he neither would accept nor pay the same which being by the Said Notary heard he did Solemnly protest and does by those presents at the request of M^r^ Henry Meese protest aswell against the said W^m^ Stevens drawer of the Said bill of exchange as all other whom it did or might concerne of exchange and reexchange and of all costs damages and interests for want of payment of the said Summe Suffered and Susteined and hereafter to be Suffered and Susteined to be all recovered in time and place convenient All which the Said Nicholas Hayward Notary and Tabellion Publique admitted & Sworne as aforesaid haveing heard the things acted and done as aforesaid the day yeare and place aforesaid did therefore by a certaine instrument of protest Subscribe his name and putt his wonted and accustomed Seale of Office being requested to testifie and certifie the premisses which said instrument of protest is by the Said Charles here in Court produced Notwithstanding which the said William little regarding his promise and assumption So as aforesaid Made but plotting & fraudulently intending him the Said Charles in that behalfe craftily and Subtilly to deceive and defraud the Said eleven pounds five shillings and foure pence to him the Said Charles hath not paid though he hath been thereunto often required but doth utterly refuse and deny to pay the Same by which the Said Charles the whole profitt gaines & advantage which he with the Said eleven pounds five shillings & foure pence if it had been paid unto him according to the promise and assumption of the Said W^m^ in that behalfe made by buying Selling & lawfull bargaining with the same might have had and gained is now totally lost and deprived of whereupon he Saith he is the worse and hath damage to the Value of One hundred pounds Sterling And thereupon he bringeth his Suite.

Liber M M

p. 556

And the Said W^m^ Stevens by Robert Ridgely his Attorny comes and defends the force and injury when &c and prayeth the heareing

Liber M M of the Said bill of exchange and it is read unto him and he also prayeth the heareing of the Protest of the Said bill of exchange and it is read unto him in these words following Vizt By this publique instrument of protest be it Knowne unto all who shall See these presents or heare the Same read that On the third day of the month October Anno Dom̄ 1674 and in the Six and twentith yeare of the Reigne of Our Soveraigne Lord Charles the Second by the Grace of God King of England Scotland ffrance and Irland Defender of the ffaith &c at the request of Mr Henry Meese of London merchant I Nicholas Hayward Notary and Tabellion publique dwelling in London by Authority of his Said Matie admitted and Sworne went Severall times to the house of Mr John ffoster Scituate in Gratious Street London where Speakeing to his man Servant I demanded of him if the Said Mr ffoster was within or if he would accept or pay the Original bill of exchange of eleaven pounds five shillings and foure pence of Current mony of England where a true Coppy is written on the otherside whereupon he answered that the Said Mr ffoster his Master was not within but haveing informed him of his Said bill he told him respondent that he neither would accept nor pay the Same Which answer I the Said Notary haveing heard at the request aforesaid have protested and by these presents doe protest aswell against Wm Stevens drawer of the Said bill and against all others therein Obliged for change and rechange together with all costs damages and interests already Suffered & Susteined and to be Suffered and Susteined for want of acceptance or payment of the Said bill This done and protested in London in the presence of Thomas Potter and John
p. 557 Lidiard Which being read & heard the Said William Stevens Saith nothing in barr or avoidance of the action aforesaid of him the said Charles for that he oweth the Said Charles the said Summe of eleven pounds five shillings and foure pence whereupon the said Charles remaineth against the Said William thereof wholly undefended Therefore it is this day to wit the eighth day of May in the 43 yeare of the Dominion of Caecilius &c Considered by the Court here that the Said Charles Calvert recover against the Said William Stevens aswell the Said Summe of eleven pounds five shillings and foure pence the debt aforesaid together with three pounds Seven Shillings and Seaven pence for Change and rechange as also the summe of five hundred ninty nine pounds of tobacco for his costs and charges in this behalfe laid Out & expended and the said Wm in mercy &c.

These are to Authorize and impower you Robert Ridgely One of the Attornyes of the Provinciall Court to appeare for me at the Suite of the Honble Charles Calvert Governour of Maryland upon the protest of a bill of exchange and to putt in Such plea as you shall thinke fitt And for your proceedings herein this shall be your

warrant Wittnes my hand & Seale the 27th of April 1674.
Wittnes Sarah Rands. Will Stevens. (Sealed.)

Know all men by these p^{r}sents That whereas by a certaine Act of Assembly made att the Citty of S^{t} Maryes the Twelfth day of ffebruary now last past Entituled an Act for payment and Assessing the publiqꝫ Charges of this p^{r}ovince Amongst other things itt is Enacted that there be Leavyed & paid unto me Garrett Vansweringen the now next Ensuring Cropp for publique Expences & Entertainment of the Clerke of the Lower house the Sum̄e of Twenty nine Thousand three hundred fifty foure pounds of Tobacco I the said Garrett Vansweringen doe hereby Assigne & Sett over all my Right title Interest Claime & demaund of me to the same unto John Quigley of the same Citty gentl̄ his heyres & Assignes In Wittnes whereof I have hereunto sett my hand & Seale the Sixteenth day of July in the foure & fortieth Yeare of the Dominion of Caecilius &c Annoqꝫ Dm 1675.
Wittnes hereunto G Vansweringen (Sealed)
Ric: Painter Jn^{o} Blomfield

John Ingram
ag^{t}
Edward Roe
the Same
ag^{t}
the Same
the Same
ag^{t}
the Same

the def^{ts} by Robert Carvile his Attorny appeares & imparles untill next Court.

Zachariah Wade
ag^{t}
John England

Com̄and was given the Sheriff of S^{t} Maries County that he take John England late of St Maries County otherwise called John England of the Citty of Bristoll marriner if he should be found in his Bailiwick and him safe Keepe So that he have his body here the fourth day of May in the 43th yeare of the Dominion of Caecilius &c to answer unto Zachariah Wade in a plea that he render unto him three men Servants which to him he oweth and unjustly deteineth At which said fourth day of May the Same Sheriff maketh returne that the Said John England is not found in his Bailiwick whereupon the said Zachariah prayed an attachment against the Goods & Chattells of the said John England according to Act of Assembly in that case made and provided and it is granted unto him by the Court here. p. 558

Liber M M John Larkin
agt
Cornelius Stewart

Nathaniel Stiles Sheriff of Cecil County haveing returned a Cepi in this cause & the deft not appeareing Ordered that unlesse he appeare at the next Court the Sheriff be amerced.

Edward Tarleton admr
Wm Barton
agt
Marmaduke Semme

John Pawson
agt
Thomas Wynn

Roger Baker
agt
Garret Vansweringen

Christopher Rousby
agt
John Gram̄er

the defts appeare by Kenelm Cheseldyn their Attorny & imparle untill next Court.

Cornelius Corneil
agt
John Blackiston

Wm Hemsley
agt
Adam Mott

John Edmondson
agt
Adam Mott

John ffanning
agt
Charles Gregory

Gabriel Deane & Compa
agt
John Pickering

Charles Calvert Esq
agt
John Clements

these Six causes agreed.

p. 559 Thomas Mountford
agt
John Brookes

Daniel Clarke Sheriff of Dorchester County haveing returned a Cepi and the deft not appeareing Ordered that unlesse he appeare next Court the Sheriff be in misericordia.

James Neale
agt
Wm Russell

Com̄and was given the Sheriff of Charles County that he take William Russell if &c to Satisfie unto James Neale & Anna his wife foure thousand Six hundred

Sixty eight pounds of tob: which to them the said James & Anna the eleventh day of ffebruary in the 43th yeare of his Lop̄ps Dominion &c were adjudged for their costs of Suite which they Susteined by Occasion of a trespas and Strong ejectment to them the said James and Anna by the Said W^m^ Russell by force and armes and against his Lop̄ps peace here brought whereof he is convict, Now here at this day to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c the Same Sheriff maketh returne that the Said W^m^ Russell is not found in his Bailiwick whereupon the Said James Neale by Kenelm Cheseldyn his Attorny prayed an Elegitt against the Goods and Chattells Lands and Tenements of the said W^m^ according to the forme of the Statute in that case made and provided and it is granted unto him by the Court here. Liber M M

Stephen Murty agt W^m^ Hill
Garret Vansweringen agt John Quigley
the Same agt the Same
the Same agt the Same
the defts appeare by Robert Carvile their Attorny and imparle untill next Court.

Garret Vansweringen agt John Balley
Kenelm Cheseldyn agt John Balley
Charles Calvert Esq agt Richard Speed
these three causes agreed.

James Price agt Henry Smith
this cause being upon an appeale frō Somersett County Ordered to be continued till next Court.

p. 560 Know all men by these presents That I James Whetcombe of Boston in New-England merchant for divers good causes and considerations me thereunto moveing have and doe by these presents make Constitute and Ordeine M^r^ Thomas Walker of Annamesseck in the

Liber M M County of Somersett and in the Province of Maryland to be my true and lawfull Attorny and Procurator for me in my name and to my Use and benefitt to aske demand and receive of and from any person or persons whatsoever that to me are indebted or any wayes acomptable by reason of Consignment of goods or other Obligation or trust whatsoever to them Committed all Such Summe and Summes of Mony Goods Wares tobacco or any other merchandizes whatsoever that to me is belonging or in any wise appurteineing by reason of any Concernment or interest I have in Virginia or Maryland in the hands or management of any person or persons there Giveing and by these presents Granting unto my Said Attorny full power and Authority to arrest imprison and prosecute as farr as the Law will permitt any person or persons whatsoever from whom to me any thing or Summe is due and upon receipt of Satisfaction or payment to give full discharges As also to doe every other lawfull act needfull for the recovery of my just right Allowing and confirmeing by these presents all that my Said Attorny shall lawfully doe or Act in the premisses to be as good and Authentick as if it was done by my Selfe in person And I doe also impower my Said Attorny to make One or more Attornyes as need shall require under him As Wittnes my hand and Seale this eighteenth day of March $\frac{1674}{75}$

Signed Sealed & delivered
in presence of Us. James Whetcombe (Sealed)
James fflood
James Collens.

The abovesaid Letter of Attorney was this 24th April 1675 proved by James fflood & James Collens Wittnesses to the same. Before me Charles Calvert.

Richard Rawlins
agt } in Ejectment.
Robert Parnepley

Robert Parnepley late of Ann Arundell County was attached to answer Richard Rawlins of a plea wherefore with force and armes into Eighty acres of Land lyeing On the Southside of South River in the Said County called Peirpoints Rocks which One Henry Peirpoint had to him the Said Richard demised for a terme not yet expired he did enter his timber he did cutt downe and him the Said Richard from his farme aforesaid did eject and other harmes to him did to the great damage of the Said Richard and against the peace &c

And whereupon the said Richard by Robert Carvile his Attorny p. 561 Saith that whereas the Said Henry Peirpoint did upon the first day of January in the yeare of Our Lord One thousand Six hundred Seventy foure demise unto him the said Richard all that parcell of land called Peirpoints rocks lyeing On the northside of South River in Ann Arundell County aforesaid Containeing eighty acres more or lesse to hold to him the Said Richard for the terme of two yeares which is not yet expired by virtue of which lease the Said Richard entred into and became possessed of the premisses and being So possessed the Said Robert afterwards to wit upon the twelfth day of January in the yeare aforesaid with fforce and armes into the said lands and premisses did enter & him the said Richard from his ffarme to him demised in manner as aforesaid did eject and other harmes to him did against the Peace of the Lord Proprietary and to the great damage of the said Richard whereupon he Saith he is dampnified & hath losse to the Value of tenn thousand pounds of tobacco. And thereupon he bringeth his Suite. Liber M M

10th March 1674

To Hubbert Lambert Tenant in possession of the premisses abovementioned.

Unlesse the Tenant in Possession or those under whom he claimeth doe the next Provinciall Court appeare to this declaration & make him or themselves defts thereunto and by rule of Court confesse the lease entry and ejectment and insist only On the title the deft in this declaration will confesse judgment and possession will be delivered accordingly to the plaintiff.

Now here at this day to wit the Eighth day of May in the 43th yeare of the Dominion of Caecilius &c Came the said Henry Peirpoint by Robert Carvile his Attorny and offered himself against the said Hubbart Lambert in the plea aforesaid but the Said Hubbert nor any under him came not whereupon the said Henry produced this affidavit following Vizt.

Maryland ss.

John Carpenter of the County of Ann Arundell in the Province aforesaid maketh Oath That the fifth day of this instant April he Served Hubbart Lambert with a declaration in ejectment for eighty acres of land called Peirpoints Rocks in the possession of the Said Hubbert by leaveing of a Coppy of a declaration wherein Richard Rawlins was plaintiff and Robert Parnepley was deft at the dwelling house of the Said Hubbert with One of the Servants of the Said Hubbert named   Witchell and leaveing word That if the Said Hubbert appeared not at the next Provinciall Court and became defendant in the said declaracōn that judgment would passe agt him and he be turned Out of his Possession and further this depont Saith not.

Sworne the 9th of April 1675   Jo: Carpenter.
before me
Sam Chew.

Which affidavit of the aforesaid John Carpenter being read & heard the Said Henry prayed his Lo͞pps writ of Habere facias

Liber M M possessionem and it is granted unto him.—Costs allowed the pl̃t 590 ℔ tob̃.

p. 562 Comānd was given to the Sheriff of Kent County That he take John Dobbs if he should be found in his Bailiwick & him Safe Keepe So that he have his body here the twentith day of April last past to Satisfie unto John Quigley aswell the summe of Six thousand twenty One pounds of tobacco a certaine debt recovered against him the ninth of December last past as also the summe of five hundred forty foure pounds of tobacco costs of Suite which Said Court to be held upon the said twentith day of April was by his Lōpps writ of adjournmt adjourned untill the fourth day of May now past Att which said fourth day of May in the 43th yeare of his Lōpps Dominion &c the same Sheriff maketh returne of the writt aforesaid that he hath taken the said John Dobbs whose body he hath ready as by the same writ he was com̄anded

Now here at this day to wit the Sixth day of May in the yeare aforesaid the same Sheriff informeth the Court here that he hath the said John Dobbs in execution upon severall writs issued Out of the County Court and thereupon prayed the advice of the Court here the judgment of the Court thereupon is that the said Dobbs aswell Satisfie the said John Quigley as all other persons for what he lyeth under execution before he be discharged out of Custody. whereupon Tobias Wells of Kent County proffered himselfe to become Security for the said John Dobbs that the said John Dobbs should yearly Satisfie unto the said John Quigley the summe of two thousand pounds of tobacco untill the debt & costs aforesaid should be Satisfied otherwise that he would Satisfie & pay the same, which by the said John Quigley was accepted off.

May 6th 1675.
All the land from the head of the Westerne Branch in St Georges River to the head lines of the Land of Poplar Hill, Blake Creeke Herring Creeke and So to the Head lines of the Surveyes upon St Georges and So up to the head line of the Lievtenn̄t Generalls Land lately Surveyed by Mr James Thompson at the Mill is reserved for his Lōpps Use.

Vincent Lowe
agt
Kenelm Cheseldyn

Vincent Lowe Attorny Generall of the Province of Maryland comes into Court here to wit the 13th of October 1674 and files his bill against Kenelm Cheseldyn of the Citty of St Maries One of the Attornyes here present in Court in an action of trespas on the case.

Whereupon the Said Vincent in his Own proper person complaineth and Saith that whereas Marmaduke Semme of St Georges

Hundred in the County of S^t Maries Carpenter On the Sixth day of Liber M M
October 1672 did Owe and Stand indebted to him the Said Vincent the just Summe of eight hundred pounds of tobacco whereupon the Said Kenelm did faithfully promise him the Said Vincent to become p. 563
his paymaster if in case he the Said Vincent would acquitt and discharge him the Said Marmaduke of the aforesaid Summe of eight hundred pounds of tobacco Upon which promise the Said Vincent did acquitt and discharge the Said Marmaduke of the aforesaid debt whereupon the Said Kenelm did upon the eighth day of October 1672 assume upon himselfe to pay him the Said Vincent the aforesaid Summe of eight hundred pounds of tobacco when thereunto required Yet notwithstanding the aforesaid Summe he hath not paid but doth altogether deny and refuse to pay the Same whereupon the Said Vincent Saith he is dampnified and hath losse to the value of foureteen hundred pounds of tobacco And thereupon he brings his Suite.

And the Said Kenelm in his proper person doth come and defend the force and injury when &c and Saith he did not promise and assume in manner and forme as the plaintiff in his declaration hath declared against him and of this he prayes the judgm^t of the Court and the Said Vincent likewise.

Now here at this day to wit the Sixth day of May in the 43th yeare of his Lop̄ps Dominion &c the Court here being fully Satisfied (haveing heard what either party could say or alleadge) It is considered by the Court here that the Said Vincent recover against the Said Kenelm the summe of eight hundred pounds of tobacco for his damages occasioned by the trespas aforesaid as also the Summe of pounds of tobacco cost of Suite.

Then did the Said Marmaduke Semme in Open Court promise That if the declaration herefore drawn against Edward ffitzherbert at the suite of him the Said Semme by him the said Vincent Lowe be good and well drawne that he the Said Semme will pay the Said eight hundred pounds of tobacco & the cost of this Suite.

May the 7th 1675

Then was Richard Chilman Sworne Constable of S^t Maries Hundred before the Hon^{ble} W^m Calvert Esqꝫ principall Secretary

May the 8th 1675

Ordered by the Court here that the Attornyes Speake regularly and when the Court thinke fitt under fine of One hundred pounds of tobacco each tyme.

John Rousby for breach of the Said Order fined 100 ł tob̄.

W^m fford
ag^t
Jenkin Kegwin

The Lord Proprietary To Jenkin Kegwin Master & Comander of the Good Shipp called the Swallow of London Sendeth his writ thereby Comanding him

Liber M M that all other things Sett apart & all excuses waved he be & personally appeare here before the justices of the Provinciall Court the twentith day of April now last past to p. 564 answer aswell unto his Lop̄p as unto W^{m} fford who aswell for his Lop̄p as for himselfe in this behalfe prosecutes of & to all Such things which to him the Said Jenkin then & there should be Objected against him and further to doe and receive what the said Court should consider of in that behalfe and hereof he was not to faile under the penalty of One hundred pounds & y^{t} he have there the same writ.

On the backside of which writ was endorsed

> W^{m} fford of Dorchester County prosecutes this writ upon the Act of Assembly of the 40th yeare of Caecilius &c against Runnaways and Such persons that give them entertainement.

Which said Provinciall Court to be holden the said twentith day of April was by his Lop̄pes writ of adjournm^{t} adjourned untill the fourth day of May then next following. Att which said fourth day of May in the 43th yeare of his Lop̄ps Dominion &c Annoqꝫ Dom̄ 1675 William Coursey late High Sheriff of Talbott County maketh returne of the writ aforesaid in these words.

Summonit suit.

This cause continued till next Court.

Comand was given to the Sheriff of S^{t} Maries County that he cause to be replevyed and delivered unto W^{m} Hide Severall of his goods (as it is said) and that he putt by Suertyes and Safe pledges W^{m} Nichols that he be here at this day to wit the fourth day of May in the 43th yeare of his Lop̄ps Dominion &c to answer the said W^{m} Hide of a plea of takeing and unjust deteineing of his goods.

At which Said fourth day of May in the yeare aforesaid the same Sheriff maketh returne That he hath replevyed of the goods of W^{m} Hide that is to say two Swords two hogesheads One chest One trunck One small caske One featherbed One blankett One baskett which goods I found in the hands of Thomas Spinke which said two swords two hogesheads One Chest One trunck One Small caske One feather bed & One blankett I have now in my possession.

Now here at this day to wit the fifth day of May in the yeare aforesaid came the said W^{m} Hide and W^{m} Nicholls (together with One John Pickering who pretended right in the Goods aforesaid or part thereof) in their proper persons present in Court and by consent putt themselves to the judgment of the Court.

And the said W^{m} Nicholls by Robert Ridgely his Attorny informeth the Court that his Client did transport into this Province the said W^{m} Hide John Pickering his wife, daughter & a woman Servant and that Severall goods were Shipt On board him in Bristol under the marke of WH. but whether the same did belong to

Hicks or Pickering he knew not. humbly praying the Court that he may have satisfaction for their passages as the Court shall thinke fitt. Whereupon Ordered that the goods be Secured till further Order and that W^m^ Hide pay the said W^m^ Nicholls eleaven hundred pounds of tobacco & be free, this cause to containe till the morren[ing] Liber M M

Now here at this day to wit the Sixth day of May in the yeare aforesaid It is ordered by the Court here that the passangers pay for their passages and the Goods pay the freight of the goods if any be due, and that the goods remaine in the custody of the Sheriff till further Order of Court. p. 565

May the 7th 1675

Ordered that the Sheriff lett the Arbitrators have sight of the goods in question & in Order thereunto that the Keyes of the truncks & Chest be delivered the Sheriff.

May the 8th 1675

Then Came the Said Wm Hide and John Pickering into Court and acknowledged to be willing to Stand to the Umpirage then made between them by Charles Boteler which followeth vizt.

To all Christian people to whom this prsent writeing of Award and Umpirage indented Shall come Charles Boteler of Calvert County in the Province of Maryland Sendeth Greeting in Our Lord God everlasting Whereas divers questions controversies and suits have been commenced had moved and depending Between John Pickerin of the Citty of Bristoll merchant of the One part and William Hide of the Citty aforesaid Cuttler on the other part aswell for and concerning severall goods brought & imported into this Province of Maryland as also for divers other causes & actions for the appeaseing whereof either of the Said parties have elected Raymond Stapelfort of Dorchester County and David Driver of St Maries County Arbitrators indifferently chosen to award Arbitrate determine & to judge all controversies variances suits, actions plaints & demands whatsoever & to that end have bound themselves either to other by Obligation in the Summe of forty thousand pounds of tobacco to stand to & abide the award arbitrament finall end and judgment of the said Arbitrators Yet so that the said Arbitrators shall give in their award under their hands and Seales by twelve of the clocke at noone upon the Seventh day of May instant, and if no such award as aforesaid were given up at the time aforesaid then the said partyes did bind themselves to Stand to the award and Umpirage of me the said Charles Boteler for and concerning the premisses Now Know Yee That I the Said Charles Boteler (by reason that no such award be given in as aforesaid by the Said Arbitrators) haveing taken upon me the charge of the said Award and

Liber M M Umpirage and minding that a finall end and agreement shall be had and Continued between the said parties from henceforth touching all & Singular the prmisses Doe make & declare this my Award Umpirage and Arbitrament in manner & forme following that is to say.

Imprimis I doe award that the said John Pickerinn shall forthwith release unto the said Wm Hide all his claime & demand of in & to One hogeshead & One hampier of bottles marked Ɨ P two swords One featherbed boulster and quilt

p. 566 I doe award that the said John Pickerinn and the Said Wm Hide Shall equally pay between them all Such Secretaryes ffees Attornyes ffees and Ordinary expences as have beene expended in the said Controvers[ie] between them the said partyes Since the begining of the same.

Item Lastly I doe Award that the said Parties Shall by writeing under their hands and Seales interchangably release acquit exonerate & for ever quitclaime each other of all debts dues accompts reckonings suits actions controversies debates & demands whatsoever as also of all cause & causes of actions which either of them or their heirs executrs or admrs may might or could have against each other for any cause matter or thing whatsoever from the begining of the World to the day of the date hereof.

And in Testimony that this present writeing and the matter therein contained is my award Arbitrament determination & judgmt I have hereunto Sett my hand and Seale this Seventh day of May 1675

C Boteler. (Sealed)

May 8th 1675

Ordered that the Attornyes attend the Secretary on tuesday next being the 11th day of this instant month of May for entry of their appearances amercing Sheriffs &c.

Eeodem die Was Thomas Wynn Sworne Deputy Sheriff of St Maries County in Open Court.

The Court adjourned untill the 26th
of October next.

October 26th 1675

Came Wm Baker of St Maries County & desired his marke might be recorded which is as followeth.

Cropt and two Slitts in the Right eare
Cropt and underkeeled in the left eare.

Maryland ss.

Att a Provinciall Court held at the Citty of St Maries the Sixtenth day of November in the 44th yeare of his Lop̄ps Dominion Annoqȝ Dom̄ One thousand Six hundred Seventy five and there Continued untill the Six and twentith day of the same month at which said 16th day were present. Liber M M

The Hon^{ble} Philip Calvert Esq Chancellour
W^{m} Calvert Esq Secretary
Baker Brooke Esq
Coll Jesse Wharton Esq
justices.

J^{no} Blomfeild Cl.

John Baker
ag^{t}
Edmund Lindsey

Edmund Lindsey late of Charles County planter otherwise called Edmond Lindsey of Charles County in the said Province planter was Sumoned to answer unto John Baker of a plea that he render p. 567 unto him the full and just quantity of two thousand two hundred ninty five pounds of good Sound merchantable tobacco in casque which to him he oweth and unjustly deteineth

And whereupon the Said John Baker by Robert Ridgely his Attorny Saith that whereas the said Edmond the 16th day of May in the yeare of Our Lord One thousand six hundred Seventy foure by his certaine bill Obligatory Sealed with the Seale of the said Edmond and here in Court produced whose date is the day and yeare aforesaid did acknowledge himselfe to be holden and firmly bounden unto the Said John Baker in the full and just quantity of two thousand two hundred ninty and five pounds of good Sound merchantable tobacco & caske to be paid to the said John Baker or to his certaine Attorny his heirs executors administrato^{rs} or assignes in Some Convenient place in Charles County upon demand to the which payment well & truly to be made the said Edmond did bind himselfe his heirs executors & adm^{rs} firmly by those p^{r}sents Yet the aforesaid Edmond the said summe of two thousand two hundred ninty five pounds of tobacco according to the tenor of the Same bill Obligatory to him the said John Baker though often thereunto required hath not paid but the Same to pay hath denyed and as yet doth deny whereupon the Said John Baker Saith he is dampnified and hath lost to the Value of three thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Edmund Lindsey by Benjamin Rozer his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provincial Court and the same day is given to both parties.

Now here at this day to wit the Sixtenth day of November in the 44th yeare of his Lopps Dominion &c came the said John Baker by Robert Rigley his Attorny and the said Edmund Lindsey by Benj^{a} Rozer his Attorny came likewise & the said Benjamin Saith nothing in barr or avoidance of the action aforesaid of him the said John Whereupon the said John remaineth against the said Edmund there-

Liber M M upon wholly undefended Therefore it is considered by the Court here that the said John Baker recover ag^t the said Edmund Lindsey aswell the summe of two thousand two hundred ninty five pounds of tobacco the debt aforesaid as also the sum̃e of five hundred forty foure pounds of tobacco costs of suite and the said Edmund in mercy.

Charles County ss.

Mr. Benjamin Rozer this is to desire & authorize you to appeare for me Edmond Lindsey of Charles County in the Province of Maryland Planter in the Provinciall Court of the said Province at the suite of John Baker in an action of debt to the value of two thousand two hundred ninty five pounds of tobacco & to confesse a judgment against me unto him for the said quantity of tobacco besides costs of suite by non sum informatus nil dicit or otherwise & for your so doeing this shall be your Sufficient warrant Wittnes my hand & Seale this 13th day of November 1675

Wittnesses Alexander Gallant the marke of
Ambrose Bayley. Edmond + Lindsey (Sealed)

p. 568 Memorandum that this day to wit the Sixteenth day of November in the 44th yeare of his Lop̃ps Dominion &c Annoqꝫ Dom̃ 1675 came Robert Dunn High Sheriff of Kent County and Guardian to William Vaughan one of the Orphants of Robert Vaughan deceased and produceth to the Court here a Certaine Order of this Court the tenor whereof followeth in these words Vizt.

Maryland ss.

Att a Provinciall Court of the Right Hon^{ble} the Lord Prop̃ry held at S^t Maries the 12th day of November in the 42th yeare of his Lop̃s Dominion over Maryland Annoqꝫ Dom̃ 1673 before his Lo^{pp} justices thereunto assigned.

Robert Dunn of Kent County Gent Guardian of W^m Vaughan one of the Orphants of Robert Vaughan deceased petitioneth this Court that whereas he was by this Court appointed Guardian to the said Orphant & also this Court did Order that the said Orphants estate should be delivered into the hands of the Said Dunn Yet notwithstanding Jeremiah Eaton of Kent County who married the mother of the said Orphant deteines in his hands tenn thousand pounds of tobacco bequeathed as a Legacy by Major Ingram deceased to the Said Orphant and which was left by his ffather, The Said Dunn waves Order of this Court for the same

The Court takeing the premisses into their Serious consideration doe Order that the Comissioners of Kent County doe examine the businesse and what they Shall find in the hands of the Said Eaton belonging to the said Orphant that they See delivered into the hands of the said Dunn, and of their proceedings herein that they make returne to this Court. Liber M M

By the Court.
Robert Ridgely Clerke.

On the backside of the aforegoeing Order was written thus.

Whereas Wee the Com̄issioners of the County of Kent have received an Order from the Hon^{ble} Provinciall Court dated the 12th of 9^{ber} 1673 and in pursuance of that Order Wee have examined the buisnesse & the said M^{r} Eaton hath promised to pay the said tenn thousand pounds of toba[cco] unto M^{r} Robert Dunn Guardian of the Said Orphant of Cap^{t} Robert Vaughan.

Att a Court held for the County of Kent March the 23th 167$\frac{4}{5}$

Wee the Com̄issioners of this County understanding by M^{r} Robert Dunn the Guardian of W^{m} Vaughan that the abovesaid tenn thousand pounds of tobacco is as yet not paid, Whereupon wee Ordered that the said M^{r} Eaton should be sum̄oned to the next Orphants Court which was accordingly done but the said Eaton did not then appeare

Vera Copia test. Cha^{r} Banckes Clek

Which being read & heard it is Ordered by the Court here that a scire facias issue to the said Jeremiah Eaton to shew cause if any he have why execut[ion] for the said sum̄e of tenn thousand pounds of tobacco should not issue ag^{t} him, returnable next Court.

Memorandum That this Present Court to wit the fourth day of May in the 43th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1675 Came here into Court John Pawson by Robert Carvile his Attorny and exhibiteth here unto Court his certaine bill against Thomas Wynne Cryer of the same Court in a plea that he render unto him two thousand five hundred pounds of tobacco which to him he oweth & unjustly deteineth p. 569

And whereupon the Said John by Robert Carvile his Attorny Saith that whereas the said Thomas Wynne the fourth day of June in the yeare of Our Lord One thousand six hundred seventy foure by his certaine writeing Obligatory Sealed with the Seale of him the said Thomas and here in Court produced whose date is the same day & yeare abovewritten did bind himselfe his heirs executors and administ^{rs} to pay or cause to be paid unto the said John Pawson his heirs execut^{rs} adm^{rs} or assignes the full and just quantity of two thousand five hundred pounds of good sound bright & large tobacco & caske convenient to be paid conveniently in Baltemore County Notwithstanding which the said Thomas the aforesaid summe of two thousand five hundred pounds of tobacco to him the said John hath not paid though he hath been often thereunto required but the same

Liber M M to pay hath altogether denyed & as yet doth deny whereby he saith he is dampnified and hath losse to the value of five thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Thomas by Kenelm Cheseldyn his Attorny cometh & defendeth the force & injury when &c and prayeth licence to imparle here untill the next Provinciall Court & it is granted him and the same day is given to both parties.

At which said Provinciall Court to witt the Sixtenth day of November in the 44th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1675 Came the said John Pawson by his Attorny aforesaid & the said Thomas Wynn in his proper person likewise came and the said Thomas Saith that as to twelve hundred sixty nine pounds of tobacco part of the said summe of two thousand five hundred pounds of tobacco he cannot gainsay for that he oweth the same unto the said John Therefore it is considered by the Court here that the said John Pawson recover against the said Thomas Wynn the said summe of twelve hundred Sixty nine pounds of tobacco the debt aforesaid together with the summe of five hundred Seventy two pounds of tobacco for his costs & charges in this behalf laid and expended & the said Thomas in mercy.

Richard Hullett
ag^{t}
W^{m} Dunkerton
Walter Tucker & Comp^{a}
ag^{t} these three causes agreed.
the same
Walter Tucker & al̄.
ag^{t}
the Same.

p. 570 W^{m} Melton
ag^{t}
John Throster
Thomas Wynn
ag^{t}
John Rawlins
Jn^{o} Slater
ag^{t}
Thomas Dieas
Robert Carvile
ag^{t}
John Rawlins
Benj^{a} Bennett
ag^{t}
Richard Ball

Liber M M

Marmaduke Semme
agt
John Shapley
George Charlsworth
agt
Charles Delaroch
Wm West
agt
Nehemiah Blackiston
Jno Blackistone
agt
George ffinion
Richard Royston
agt
Richard Bayly
Morgan Jones
agt
John Rawlings
Philip Calvert Esq
agt
Peter Eure & Tho: Courtney
John Throster
agt
Wm Melton.

these thirteene causes agreed.

Thomas Mountfort
agt
Thomas Bowdle

Thomas Bowdle of Calvert County Planter was attached to answer unto Thomas Mountfort in a plea of trespas upon the case p. 571

And whereupon the Said Thomas Mountfort by Kenelm Cheseldyn his Attorny complaineth that whereas the said Thomas Bowdle the 25th day of ffebruary in the yeare 1673 in Consideration that the said Thomas Mountfort at the Speciall instance & request of him the said Thomas Bowdle would lend unto him the said Thomas Bowdle One new boate belonging to him the said Thomas Mountfort being fourteen foot by the Keele with her masts Sayles & other Rigging thereunto belonging the said Thomas Bowdle did assume upon himselfe & to the said Thomas Mountfort did faithfully promise that he the said Thomas Bowdle the said boate with her mast Sayles & other Rigging within tenn dayes after would returne her againe to the said Thomas Mountfort in like manner as he received her, And the said Thomas Mountfort in fact Saith that he the Said Thomas Mountfort did lend & deliver unto the said Thomas Bowdle the boate aforesaid with Mast new Sayles & all other necessary Rigging thereunto belonging Notwithstanding which the said Thomas Bowdle the boate aforesaid with her Sayles & other rigging hath

Liber M M not redelivered unto him the said Thomas Mountfort but the same to returne & deliver unto him the said Thomas Mountfort though often thereunto required hitherto hath & still doth altogether deny to the damage of the said Thomas Mountfort two thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Thomas Bowdle by George Oldfeild his Attorny cometh & defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill next Provinciall Court & it is granted unto him the same day is given to both Parties.

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq͡ Dom̃ 1675 Came aswell the said Thomas Mountfort by his Attorny and the said Thomas Bowdle by Robert Carvile his Attorny came likewise And the said Thomas Bowdle saith he did not assume upon himselfe and to the said Thomas Mountfort make such Promise as the said Thomas Mountfort hath above declared against him and of this he putts himselfe upon the Country and the plaintiff also Therefore Comand is given to the Sheriff of St Maries County that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c

Att which said foure & twentith day of November in the yeare aforesaid Came the said Thomas Mountfort & the said Thomas Bowdle by their Attornyes aforesaid & the jurors of that jury likewise came to witt John Gittings Wm Thomas Arthur Wright Peter Watts John Tant Richard Meekins John Garnish Raymond Stapelfort John Brookes George Charlsworth Henry Turner & Henry p. 572 Exon who being impannelled sumõned & Sworne to say the truth in the premisses upon their Oathes doe say Wee find for the plaintiff Therefore it is considered by the Court here that the said Thomas Mountfort recover against the said Thomas Bowdle aswell the summe of two thousand pounds of tobacco for his damages occasioned by the trespas aforesaid as also the sum̃e of One thousand seaven hundred & fourteen pounds of tobacco for his costs and Charges in this behalfe laid Out and expended & the said Thomas Bowdle in mercy.

Richard ffountaine agt Henry Hawkins } This action being upon replevin for a certaine Stone horse the defendant this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c by Benjamin Rozer his Attorny cometh & defendeth the force & injury when &c & as to the trespas aforesaid as to the Keeping & unjust deteineing the horse aforesaid the said Benjamin Saith not Therefore it is considered by the Court here that the said Richard recover against the said Henry aswell the summe of two thousand pounds of tobacco for the trespas aforesaid as also the summe of

One hundred & eighty pounds of tobacco for his costs of Suite adjudged by the Court here for his costs & charges now laid Out & expended & the said Henry in mercy. Liber M M

Edward Roe agt Jeremiah Eaton & Jn° Brooke

Jeremiah Eaton & John Barke late of Kent County otherwise called Jeremiah Eaton of the County of Kent and John Barke of the County of Talbott both of the Province of Maryland were sumōned to answer unto Edward Roe of a plea that they render unto him five thousand eight hundred seventy foure pounds of tobacco which to him they owe & unjustly deteine.

And whereupon the said Edward by Robert Carvile his Attorny Saith that whereas the said Jeremiah and John the sixtenth day of December in the yeare of Our Lord 1673 by their certaine bond or writeing obligatory Sealed with the Seales of them the said Jeremiah and John & here in Court produced whose date is the day & yeare abovesaid did bind themselves their or either of their heirs execut^{rs} & adm^{rs} joyntly & severally in the summe of five thousand eight hundred seventy foure pounds of good Sound merchantable tobacco in caske according to the late act of Assembly to be paid unto the said Edward Roe at or upon the tenth day of October next ensueing the date of the said bond in Tredaven Creeke or in Great Choptanck River in One entire payment Yet Notwithstanding the said Jeremiah Eaton and John Barke the said summe of five thousand eight hundred seventy foure pounds of tobacco him the said Edward Roe according to the tenor of the said bond though often thereunto required have not contented or paid but the same to content or pay have hitherto denyed and still doe deny to pay the same whereupon the said Edward saith he is dampnified & hath losse to the value of Seven thousand pounds of tobacco And thereupon he bringeth his suite

And the said Jeremiah & John by Vincent Lowe their Attorny come & defend the force & injury when &c & pray the hearing of the said bond and it is read unto them & they also pray the hearing of the Condition of the said bond & it is read unto them in these words following Vizt The Condition of this Obligation is such That if the abovebounden Jeremiah Eaton & John Barke or either of them their heirs executors adm^{rs} or assignes shall well & truly pay or cause to be paid unto the abovesaid Edward Roe his heirs executors adm^{rs} & assignes or lawfull Attorny the full & just summe of two thousand eight hundred ninty two pounds of good sound merchantable tobacco in caske according to the late Act of Assembly at or upon the tenth day of October next ensueing the date hereof at Óne entire paym^{t} in Tredaven Creeke or in some place convenient in Great Choptanck River then this Obligation to be Void or otherwise to stand in full p. 573

Liber M M force and virtue as wittnes Our hands & Seales the day & yeare abovewritten Which being read & heard the said Jeremiah & John Say nothing in barr or avoidance of the action aforesaid of him the said Edward

Therefore it is this day to witt the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Considered by the Court here that the said Edward Roe recover against the said Jeremiah Eaton & John Barke aswell the said summe of five thousand eight hundred Seventy foure pounds of tobacco the debt aforesaid as also the summe of five hundred ninty two pounds of tobacco for his costs & charges in that behalfe laid Out & expended and the said Jeremiah and John in mercy.

James Nuthall agt Richard Bayley } Richard Bayley late of Calvert County was attached to answer unto James Nuthall in a plea of trespas upon the case.

And whereupon the said James Nuthall by Kenelm Cheseldyn his Attorny complaineth that whereas the said Richard Bayley the two & twentith day of December in the yeare One thousand six hundred seventy three stood indebted unto the said James Nuthall the summe of fifteen hundred & fifty pounds of tobacco for One thousand pounds of porke sold & delivered unto him the said Richard and also the summe of three hundred sixty five pounds of tobacco for Six Cow & steere hides and One doeskin sold and delivered at the same time which said summes of fifteen hundred & fifty pounds of tobacco and three hundred sixty five pounds of tobacco in the whole amount to the sum̃e of nineteene hundred & fifteen pounds of tobacco In consideration whereof the said Richard did assume upon himselfe & to the said James did faithfully promise that he the said Richard the said sum̃e of nineteen hundred & fifteen pounds of tobacco to him the said James when thereunto required to him the said James would well & truly content & pay Notwithstanding which the said Richard the said summe of nineteen hundred & fifteene pounds of tobacco to him the said James according to his promise hath not paid though often thereunto required but the same to pay hitherto hath & Still doth deny to the damage of the said James two thousand five hundred pounds of tobacco And thereupon he bringeth his suite.

p. 574 And the said Richard Bayley by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and the said Richard saith that as to fifteene hundred & fifty pounds of tobacco part of the Said nineteene hundred & fifteene pounds of tobacco which the said James hath above imposed upon him the said Richard saith that the said fifteene hundred & fifty pounds of tobacco to him the said James he hath paid by the hands of Thomas Sprigg and this he is ready to averre whereupon he prayes judgment if the said James his action aforesaid for the same ought to have And as to three hundred sixty five pounds residue of the said nineteene hundred & fifteene pounds of tobacco the said Richard saith that he did not assume & promise in manner & for me as the Said James above hath declared against by him. And the Said James Saith that he the said Richard hath not paid the said fifteen hundred & fifty pounds of tobacco in manner aforesaid and that the said Richard did assume for the three hundred sixty five pounds of tobacco residue of the said debt and of this he putts himselfe upon the Country and the said Richard likewise Therefore Comānd is given to the Sheriff that he cause to come here twelve &c by whom &c who neither &c to recognize &c because as well &c Liber M M

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1675 Came the said James Nuthall by Kenelm Cheseldyn his Attorny and the said Richard Bayley by Robert Ridgely his Attorny likewise came & the jurors of that jury Vizt John Gittings Wm Thomas Arthur Wright Peter Watts John Tant Richard Meekins John Garnish Raymond Stapelfort John Brookes George Charlsworth Henry Turner and Henry Exon who being impannelled sumōned & Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff ten pounds of tobacco being in arreare and unpaid of the debt now sued for and as to the three hundred sixty five pounds of tobacco Wee have no evidence whereby the assumption may be proved to Us. Therefore it is considered by the Court here that the said James Nuthall recover against the said Richard Bayley aswell the sum̄e of ten pounds of tobacco for the trespas aforesaid as also the sum̄e of pounds of tobacco for his costs & charges in this behalfe laid Out & expended & the said Richard Bayley in mercy.

Garrett Vansweringen agt Henry Smith	Henry Smith late of St Maries County planter was attached to answer unto Garret Vansweringen in a plea of trespas upon the case.

And whereupon the said Garret Vansweringen by Kenelm Cheseldyn his Attorny complaineth that whereas the said Henry Smith the ninetenth day of June in the yeare 1672 Stood indebted to the said Garret Vansweringen for divers liquors & other accomodations received at the house of him the said Garret at divers dayes & tymes p. 575 to wit from the said ninetenth day of June in the yeare 1672 aforesaid untill the thirtith day of September in the yeare 1673 a particular of all which is here in Court produced amounting in the whole to the sum̄e of five hundred & twelve pounds of tobacco In consideracōn whereof the said Henry did assume upon himselfe & to the said Garret did faithfully promise that he the said Henry when thereunto required the said sum̄e of five hundred & twelve pounds of tobacco

Liber M M to him the said Garret would well & truly content & pay. Notwithstanding which the said Henry the said sum̄e of five hundred & twelve pounds of tobacco according to his promise hath not paid though often thereunto required but the same to pay hitherto hath & still doth altogether deny to the damage of the said Garret Vansweringen One thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Henry by Robert Carvile his Attorny cometh & defendeth the force & injury when &c & prayeth liberty of speakeing hereunto untill next Provinciall Court the same day is given to both parties.

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c came the said Garret by his Attorny aforesaid & the said Henry by his said Attorny aforesaid came likewise & the said Henry Saith that he did not assume upon himselfe & to the said Garret make such promise as in the declaration is complained off & of this he putts himselfe upon the Country and the said Garret also. Therefore Comānd is given to the Sheriff that he cause to come here twelve &c who neither &c by whom &c to recognize &c because aswell &c

At which said foure & twentith day of November in the yeare aforesaid came the said Garret & Henry by their Attornyes aforesaid & the jurors of that jury likewise came to witt Henry Tripp James Nuthall John Bigger Richard Bayley Tobias Wells Walter Hall David Holt Richard Hatton Michael Miller Joseph Edloe Thomas Doxey & Ralph Blackhall who being impannelled sumoned & Sworne to say the truth in the premisses upon their Oathes doe Say Wee the jurors doe find for the plaintiff Therefore it is considered by the Court here that the said Garret recover against the said Henry aswell the sum̄e of five hundred & twelve pounds of tobacco damages occasioned by the trespas aforesaid as also the sum̄e of nine hundred sixty foure pounds of tobacco for his costs & charges in this behalfe laid Out & expended and the said Henry in mercy.

Marmaduke Semme
agt
Wm King

William King late of Calvert County was attached to answer unto Marmaduke Semme in a plea of trespas upon the case.

And whereupon the said Marmaduke by Kenelm Cheseldyn his Attorny complaineth that p. 576 whereas the said William King the 24th day of ffebruary in the yeare One thousand six hundred seventy three bought had and received of the Said Marmaduke One man servant the said Wm did assume upon himselfe & to the said Marmaduke did faithfully promise that he the said Wm for the same would when thereunto required pay unto him the said Marmaduke the summe of three thousand pounds of tobacco And the said Marmaduke in fact saith that he the said Marmaduke did sell & deliver the said Servant unto the said William for three thousand pounds of tobacco to be paid as aforesaid Notwithstanding which the said William the said summe of three thousand pounds of tobacco according to his promise to him the said Marmaduke hath not paid though often thereunto required but the same to him to pay hitherto hath & still doth deny to the damage of the said Marmaduke the summe of six thousand pounds of tobacco And thereupon he bringeth his suite. Liber M M

And the said Wm by Robert Ridgely his Attorny cometh & defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill next Provinciall Court & it is granted unto him the same day is given to both parties.

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq Dom̄ 1675 came the said Marmaduke by Kenelm Cheseldyn his Attorny but the said Wm King came not therefore it is considered by the Court here that the said Marmaduke recover against the said Wm King the said summe of three thousand pounds of tobacco for his damages Occasioned by the trespas aforesaid as also the summe of five hundred twenty eight pounds of tobacco costs of Suite & the said Wm in mercy.

John Harris
agt
Richard Whitty

Richard Whitty late of Somersett County Cooper otherwise called Richard Whitty of Somersett County in the Province of Maryland was sumōned to answer unto John Harris of a plea that he render unto him the just & full summe of three thousand two hundred weight of good Sound merchantable tobacco without ground leaves or Seconds with caske which to him he oweth & unjustly deteineth

And whereupon the said John Harris by Robert Ridgely his Attorny Saith that whereas the said Richard the eleventh day of January in the yeare of Our Lord 1672 by his certaine bill Obligatory Sealed with the seale of him the said Richard and here in Court produced whose date is the day and yeare aforesaid did bind himselfe his heirs executrs admrs or assignes to pay or cause to be paid to the said John Harris his heirs executors admrs or assignes the full and just summe of three thousand two hundred weight of good Sound merchantable tobacco without ground leaves or seconds with caske to be paid at all demands at some convenient landing Notwithstanding which the Said Richard the Said summe of three thousand two hundred pounds of tobacco to him the said John according to the tenor of the same bill though often demanded hath p. 577 not paid (though) but the same to pay hath denyed & as yet doth deny to the damage of the said John foure thousand pounds of tobacco & thereupon he bringeth his suite

Liber M M Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq; Dom̄ 1675 Came the said Richard Whitty in his proper person in the Custody of the Sheriff and saith nothing in barr of the action aforesaid of him the said John Harris for that he oweth unto the said John the debt aforesaid Therefore it is considered by the Court here that the said John recover against the said Richard the said summe of three thousand two hundred pounds of tobacco the debt aforesaid as also the summe of five hundred and twelve pounds of tobacco costs of Suite & the said Richard in mercy.

John Harris admr
Thomas Sunderby
agt
Richard Whitty

Richard Whitty late of Somersett County Cooper otherwise called Richard Whitty of Somersett County was Sum̄oned to answer unto John Harris admr of all and Singular the goods chattells & creditts of Thomas Sunderby deceased of a plea that he render unto him the full & just sum̄e of fiveteen thousand Six hundred fifty five pounds of good Sound merchantable tobacco & caske which from him he unjustly deteineth

And whereupon the said John Harris by Robert Ridgely his Attorny Saith that whereas the said Richard the eighth day of January in the yeare of Our Lord 1672 by his certaine bill Obligatory Sealed with the Seale of the said Richard & here in Court produced whose date is the day & yeare aforesaid did bind himselfe his heirs executors administrators or assignes to pay or cause to be paid unto the said Thomas Sunderby his heirs executrs admrs or assignes the full & just Summe of fifteen thousand six hundred fifty & five pounds of good sound merchantable tobacco and caske without ground leaves or Seconds to be brought on board the Shipp Society riding in Leonards Creeke within thirty dayes after the date abovewritten Yet the aforesaid Richard Whitty the said summe of fifteene thousand Six hundred fifty five pounds of tobacco to him the said Thomas Sunderby in his life tyme, nor to the said John Harris since his death to whom administration of all and Singular the goods Chattells & Creditts of the said Thomas Since his death was committed hath not paid according to the tenor of the Same bill though often thereunto required but the same to pay hath refused & as yet doth refuse to the damage of the said John Harris the summe of twenty thousand pounds of tobacco & thereupon he bringeth his suite

And the Said John bringeth into Court here the Letters of administration to him granted of all and singular the goods Chattells and p. 578 Creditts of the said Thomas That it may appeare to the Court here that he is the admr of the Said Thomas &c

Now here at this day to witt the twentith day of November in the

44th yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1675 Came the Said Richard Whitty in his proper p̄son in the Custody of the Sheriff and Saith that as to Six thousand Seven hundred seventy nine pounds of tobacco part of the said sum̄e of fifteen thousand six hundred fifty five pounds of tobacco he cannot gainsay but that he oweth the same to the said John Harris as Administrator aforesaid whereupon the said John remaineth against the said Richard thereupon undefendeth therefore it is considered by the Court here that the said John Harris admr aforesaid recover against the said Richard Whitty the said summe of Six thousand seven hundred Seventy nine pounds of tobacco aforesaid together with the sum̄e of five hundred & twelve pounds of tobacco costs of Suite & the said Richard in mercy.

Samuel Hatton admr Jno Hatton agt ffrancis Holland

Memorandum the sixtenth day of October in the 43th yeare of the Dominion of Caecilius &c His Lordshipp to the Sheriff of Ann Arundell County Sendeth his writ of scire facias in these words Caecilius Absolute Lord and Proprietary of the Provinces of Maryland & Avalon Lord Baltemore To the Sheriff of Ann Arundell County Greeting Whereas ffrancis Holland late of your County together with One John Brewer of Our said County by a certaine writeing in the nature of a recognizance the 14th day of July in the 33th yeare of Our Dominion over Our said Province Annoꝗ Dom̄ One thousand six hundred sixty three in the Office for probate of wills and granting administracōns and now remaineing upon record in Our Said Office before William Bretton Gent being thereunto legally authorized and appointed by the Honble Henry Sewall late Secretary of Our said Province became bound unto Us that he the Said John Brewer should well and truly administer all & Singular the goods chattells rights & creditts of John Hatton late of Our said County deceased & to give a true accompt of the same to the said judge for probate of Wills and granting administrations when thereunto required and save harmlesse and Keepe indempnified Our said judge from all manner of persons haveing right in Law to the estate of the said John Hatton deceased in the Summe of One hundred thousand pounds of tobacco and thereupon the said John Brewer had administracōn of all and Singular the goods Chattells and Creditts of the said John Hatton at the time of his death after his death to him committed And afterwards the said John Brewer dyed after whose death administration of all and singular the goods and Chattells which were of the Said John at the time of his death were to Elizabeth Brewer Relict of the said p. 579
John com̄itted and the said Elizabeth also after dyed and administration of all and singular the goods and Chattells which were of the said Elizabeth at the time of her death after her death was unto

Liber M M Nathaniel Heathcote of Our said County com̃itted And One Samuel Hatton by virtue of a letter of Attorny from Thomas Hatton executor of the said John Hatton who in this Our Province proved the said Will and On the behalfe of the said Thomas had Letters of Administration of all the goods & chattells of the said deceased granted unto him with coppy of the will thereunto annexed who Cited the said Nathaniel Heathcoate before Our judge for probate of Wills & granting administrations to render an accompt of the said John Hattons estate and did there by Libell exhibited make appeare before Our Said judge that a false inventory of the said estate was exhibited by the said John Brewer and the said estate according to inventory by the Said John Brewer exhibited to be wasted and imbezelled by him the Said John Brewer & no assetts remaineing to the Said Elizabeth Administratrix of the said John Brewer nor to the Said Nathaniel Adm^r^ of the said Elizabeth to satisfie the damages of the said estate So wasted unto the Said Samuel Hatton adm^r^ of the said John. Our Said judge for probate of Wills and granting adm^r^iõns according to the Lawes of this Province hath assigned over the Said writeing in the nature of a recognizance to the said Samuel for his releife in the premisses These are therefore to will & require you by honest men of your Bailiwick that you make Knowne unto the said ffrancis Holland that he be before Our justices of Our next Provinciall Court to be holden at the Citty of S^t^ Maries the eighth day of December next to Shew if he hath any thing for himselfe or not to speake wherefore the aforesaid debt of One hundred thousand pounds of tobacco of the Lands & chattells of him the said ffrancis in the forme aforesaid acknowledged ought not to be rendred unto the said Samuel Hatton assignee of Us and lawfull Administrator of the said John Hatton according to the forme of the said writeing in the nature of a recognizance & have you there this writ and the same Sheriff maketh returne of the writ aforesaid that he be and appeare at the day & place as by the same writ he was comãnded

At which said eighth day of December came the said ffrancis Holland by Robert Ridgely his Attorny and saith that by a certaine Act of Assembly of this Province entituled an Act for preservation of Orphants estate the judge in Testamentary business in case of wasting and embezelling of the estate by the former administrator that then the said judge by the said Act is impowered to assigne over the bond entering into by the former adm^r^ and his Security to the new adm^r^ to be releived against them for Such wasting and embezellment. And the said ffrancis Saith that the said writeing in the nature of a recognizance by the said Act to the said Samuel Hatton p. 580 ought not to be assigned because he Saith the same is a recognizance and not mentioned in the said Act nor can issue be joyned & a jury be impannelled in this Court to try whether the said John Brewer did wast or imbezell the estate of the said John Hatton deceased & this he is ready to averre & therefore demands judgm^t of this Court whether the aforesaid debt of One hundred thousand pounds of tobacco of the Lands and chattells of him the said ffrancis ought to be rendred to the said Samuel Hatton assignee of the said Lord Prop̄ry & Adm^r of the said John Hatton according to the forme of the Said writeing in the nature of a recognizance aforesaid.

And the Said Samuel Saith that the Said writeing in the nature of a recognizance Ought by the said Act for preservation of Orphants estates by the judge for probate of wills & granting administracōns to be assigned over to the Said Samuel for his releife against the wasting and imbezelling of the Said estate of the Said John Hatton deceased by the first Administrat^r of the said estate & of this craves judgment of the Court.

Now here at this day to wit the twentith day of November in the 44^th yeare of his Lop̄ps Dominion &c. Annoq Dom̄ 1675 the Court here haveing fully heard what can be alleadged by the Attornyes on either Side of & in the premisses and fforasmuch as it appeares to the judge for probate of Wills and granting Administrations that the estate of the Said John Hatton deceased is by the first Administrat^r wasted and imbezled to the Value of twenty Seven thousand Seaven hundred and eleven pounds of tobacco Therefore it is considered by the Court here that the said Samuel Hatton the present Administrator recover against the Said ffrancis Holland aswell the Said Summe of twenty Seaven thousand seven hundred and eleaven pounds of tobacco as also the Sum̄e of Seven hundred forty Seaven pounds of tobacco Costs of Suite.

Novem^r 17^th 1675

Then were John Jones of S^t Maries County and Peter Sayer of Talbott County Gent admitted and Sworne Attornyes of this Court according to the usuall Oath of Attornyes of this Court.

Robert Carvile
ag^t
Arthur Wright

Arthur Wright late of Dorchester County otherwise called Arthur Wright of the County of Dorchester in the said Province Gent was Sumōned to answer unto Robert Carvile One of the Attornyes of this Court according to the priviledges &c of a plea that he render unto him the sum̄e of twelve hundred pounds of tobacco which to him he oweth & unjustly deteineth &c.

And whereupon the Said Robert in his proper person Saith that whereas the Said Arthur upon the Second day of October in the yeare of Our Lord One thousand Six hundred Seventy two by his certaine bill or writeing Obligatory Sealed with the Seale of him the Said Arthur and here in Court produced whose date is the day and

Liber M M p. 581 yeare abovesd did confesse and acknowledge himselfe to owe and stand indebted unto the said Robert in the full and just quantity of twelve hundred pounds of tobacco and caske to be paid to the said Robert upon demand Yet notwithstanding the said Arthur the said Summe of twelve hundred pounds of tobacco to him the said Robert though often thereunto requested according to the tenor of the said bill hath not hitherto paid or satisfied but the same to pay & Satisfie doth deny to the damage of the Said Robert Sixteen hundred pounds of tobacco & thereupon he bringeth his suite

And the said Arthur by Robert Ridgely his Attorny cometh & defendeth the force and injury when &c & prayeth liberty to imple here untill next Provinciall Court & it is granted him the same day is given to both parties here.

Now here at this day to wit the foure & twentith day of Novembr in the 44th yeare of the Dominion of Caecilius &c came the said Robert Carvile in his proper person and offered himselfe against the said Arthur in the plea aforesaid & the said Arthur by his Attorny aforesaid came likewise and the said Arthur by his Attorny aforesaid Saith nothing in barr or avoidance of the action aforesaid of him the said Robert whereupon the said Robert remaineth against the said Arthur thereupon undefended Therefore it is considered by the Court here that the said Robert Carvile recover against the said Arthur Wright aswell the summe of twelve hundred pounds of tobacco the debt aforesaid as also the sum̃e of One hundred & twelve pounds of tobacco costs of Suite & the said Arthur in mercy.

These are to authorize and impower you Robert Ridgely One of the Attornyes of the Provinciall Court to appeare for me at the suite of Mr Robert Carvile in an action of debt for twelve hundred pounds of tobacco and in the same to let judgmt goe by non sum informatus or otherwise as to you shall seeme meet & for your proceedings herein this shall be your warrant Wittnes my hand & seale the 4th of May 1674.

Wittnes Clement Hill Wright (Sealed)
the marke of
Wm M Worgan.

Thomas Chapman
agt
John Baker

John Baker late of St Maries Citty otherwise called John Baker of St Maries in the Province of Maryland was Sumoned to answer unto Thomas Chapman in a plea that he render unto him the Summe of two thousand six hundred pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the said Thomas Chapman by Kenelm Cheseldyn his Attorny Saith that whereas the said John Baker the three & twentith day of June in the yeare One thousand Six hundred Sev-

enty foure did by his certaine writeing Obligatory Sealed with the Liber M M
Seale of the Said John Baker here in Court produced whose date is
the same day and yeare abovewritten acknowledge himselfe holden &
firmly bound & indebted unto Thomas Chapman of Liverpoole mer- p. 582
chant the full whole and just quantity of two thousand Six hundred pounds of good Sound merchantable leafe tobacco in caske to be paid upon demand and for good complyance thereof he did bind himselfe his heirs executors adm^{rs} & assignes to him the said Thomas Chapman his heirs executors adm^{rs} or assignes or lawfull Attorny Notwithstanding which the said John Baker the said Summe of two thousand Six hundred pounds of tobacco according to his Said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath & doth altogether deny to the damage of the said Thomas foure thousand pounds of tobacco & thereupon he brings his suite.

And the said John by Robert Carvile his Attorny cometh & defendeth the force & injury when &c and prayeth liberty of Speaking hereunto untill next Provinciall Court & it is granted him the same day is given to both parties here.

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ 1675 came the said Thomas by his Attorny aforesaid and offered himselfe against the said John in the plea aforesaid but the said John came not but made default therefore it is considered by the Court here that the said Thomas Chapman recover against the said John Baker aswell the summe of two thousand Six hundred pounds of tobacco the debt aforesaid as also the summe of pounds of tobacco for his costs & charges in this behalfe laid Out & expended and the said John in mercy.

The Sheriff of Charles County haveing taken the body of John Allen in execution at the suite of Miles Cooke and Samuel Cooke and brought his body at the day & place as by the same writts he was required the Said John Allen besought the Court here this day to witt the eightenth day of November in the 44th yeare of his Lōpps Dominion &c that he might be remitted back into the Custody of the Same Sheriff whereby he might be in a better capacity of Satisfieing the executions aforesaid. Whereupon it was then Ordered that the Said John Allen be remitted into the Custody of the Said Sheriff and that he bring his body here next Provinciall Court.

Richard Keene
ag^{t}
Mathias Decosta
Henry Parker
ag^{t}
Henry Bradley
these three causes discontinued

Liber M M Baker Brooke Esqꝫ
ag^{t}
W^{m} Hemsley.

p. 583 Charles James
ag^{t}
Thomas Dale &
Mary his wife

Thomas Dale and Mary his wife late of Cecil County were attached to answer unto Charles James in a plea of trespas upon the case

And whereupon the Said Charles James by Robert Ridgely his Attorny Saith that whereas the Said Charles is and alwayes hath been a true and faithfull man to the R^{t} Hon^{ble} the Lord Propr̄y and as a true & faithfull man unto his Said Lop̄p without any Crime of falsety deceipt extortion perjury or of any other hurtfull Crime from the time of his comeing into this Province hitherto he hath Governed & behaved himselfe and of Such unblemished honestly & conversation hath been reputed & taken amongst all the Inhabitants of this Province unspotted of any wicked Crime falsity deceipt extortion perjury or of any other hurtfull Crime whatsoever & So for the whole time aforesaid was reputed as also with the said Lord Prop̄ry was So taken & adjudged & thereupon in divers weighty & difficult business of the Said Lord Prop̄ry was used & imployed in & the said Lord Prop̄ry refuseing especiall trust & confidence in the honestly faithfullnesse judgm^{t} & integrity of him the said Charles did by his Lop̄ps Com̄ission under the lesser Seale of this Province constitute & appoint, the said Charles to be a Coroner of his Lop̄ps County of Baltemore & the Hon^{bl} Baker Brooke Esqꝫ Survey^{r} Generall of the said Province well understanding the Creditt & repute the said Charles James lived in amongst his neighbours & other the good people of this Province and of Such his unblemished honesty & reputation & also of the trust & confidence of the said Lord Prop̄y had in the honesty faithfulnesse and integrity of the said Charles and therefore had appointed & constituted him to be Coroner of his said Lop̄ps County of Baltemore & also further takeing notice with what integrity & faithfulnesse & honesty the said Charles executed the said Office the said Survey^{r} Generall by his Com̄ission under his hand & seale at Armes bearing date the Sixth day of April in the 40th yeare of his Lop̄ps Dominion &c Annoqꝫ Dom̄ 1671 did comissionate authorize & impower the said Charles to be his sole Deputy in the said County for the laying Out of Lands in the said County and to doe & execute all & every matter & thing belonging to the Survey^{r} Generall in the said County in as full & ample manner as if he were personally present to doe & performe the same and for the true & due execution of the Said Office of Deputy Surveyour of the said County the said Charles was duly Sworne upon the Holy Evangelists of Almighty God & also gave bond to the said Surveyour Generall for Such his honest & faithfull executeing the said Office in the Summe of One hundred thousand pounds of tobacco according to the best of his Skill power & Knowledge by virtue of which said Severall Cōmissions frō his Lopp and his Surveyour Generall the said Charles hath continued Coroner and Deputy Surveyour of the said County untill his Lo͞pps deviding the Said County and is now Coroner & Deputy Surveyour of Cecil County in the said Province & in both the said Offices hath well honestly and faithfully demeaned himselfe without Spott or Staine whereby the said Charles hath not only by the said Offices honestly gott to himselfe Severall considerable Summes of tobacco but also by reason of his honest & faithfull discharge of the said Offices with his Excellency Charles Calvert Esqꝫ Cap^t^ Generall & Chiefe Governour of this Province & also with all the Councellours & justices of the said Lord Proprietary within this Province & also with all the great & Eminent persons within this Province & with all other the Inhabitants of this Province of whatsoever State or Condition for the whole time aforesaid as Such a true & faithfull man to the said Lord Pro͞pry as is aforesaid of whatsoever Crime of falsity deceipt perjury extortion or bribery in the execution of the said Offices hath beene accepted & taken to be unspotted and untouched Yet the aforesaid Thomas Dale & Mary his wife not ignorant of the premisses & designing to take away aswell the said Charles good name fame & reputation as also to bring him within the danger of forfeiting his said bond of One hundred thousand pounds of tobacco So passed into by him the said Charles to the said Surveyour Generall as aforesaid & also to bring him into the ill Opinion of the said Lord Prop͞ry & the Said Survey^{r} Generall whereby the Said Co͞missions might be revoaked & also to hinder the said Charles of the profitts vayles & regardes to the said Offices belonging & appurteining & also to bring him into the ill Opinion of the said Cap^{t} Generall Councellours justices & all other the great & eminent persons of this Province and with all Others the inhabitants of the Said Province to be a perjured person a Cheater & Couzener & taker of bribes the said Thomas Dale & Mary his wife of their Own perverse malitious and wicked will plotting and contriveing him the Said Charles of Such his Offices Creditt estate, honesty reputation ffees vayles & Regards to deprive and also to bring him the Said Charles within the danger of forfeiting his Said bond in Cecil County On the last day of September in the 42 yeare of the Dominion of Caecilius &c Annoqꝫ Do͞m 1673 and diverse times both before and since in the presence & hearing of divers of the good people of this Province falsely malitously Subtilly & wickedly these scandallous words following of the said Charles with a loud & audible voyce did speake pronounce publish and declare to wit that the said Charles James (meaning him the said Charles James) was a Cheateing Knave & a Cheating Rouge By reason of which Said false scandulous and malitious words the said Charles is not Only much greived troubled vexed and perplexed in

Liber M M

p. 584

Liber M M his mind but also is brought in danger of being turned Out of his said Offices and of forfeiting his said bond So entered into as aforesaid but also the same Charles is brought into very great distrust & infamy aswell with the said Lord Prop̄ry and his Capt Generall Surveyr (p. 585) Generall & Councellours as aforesaid as with all the justices Officers and great & Eminent persons within this Province & with all other the Inhabitants of this Province to the damage of him the said Charles of One hundred thousand pounds of tobacco And thereupon he bringeth his suite.

And the Said Thomas and Mary by Robert Carvile their Attorny come & defend the force and injury when &c & pray liberty of Speaking hereunto untill next Provinciall Court and it is granted them the Same day is given to both parties

Now here at this day to witt the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1675 came the said Charles James by his Attorny aforesaid & offered himselfe against the said Thomas & Mary in the plea aforesaid and the said Thomas & Mary by their Attorny came likewise and they Say that they are in nowise guilty of the prmisses above against them complained of & of this they putt themselves upon the Country & the said Charles likewise Therefore com̄and is given to the Sheriff that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c Then likewise came the jurors of that jury to witt Henry Tripp James Nuthall Jno Bigger Richard Bayly Tobias Wells Walter Hall David Holt Richard Hatton Michael Miller Joseph Edloe Thomas Doxey & Ralph Blackhall who being impannelled sumōned & Sworne to say the truth in the premisses upon their Oathes doe Say Wee the jurors doe finde no cause of action Whereupon it is considered by the Court here That the Said Thomas and Mary recover against the Said Charles James the summe of two thousand One hundred Seventy two pounds of tobacco for their costs and charges in this behalfe laid Out & expended and the Said Charles James in mercy for his false clamor.

Richard Ambrose
agt
John Allen
Thomas Warner
agt
Wm Dirkin &
Wm Crane
John Browne
agt
Wm Russell
these five causes agreed.

Roger Baker
agt
John Atkey

Jno Osfley
agt
Jno Gittings admr
Jno Wingfeld

Edward Roe
agt
Thomas Phillipps

Com̃and was given to the Sheriff of Talbott County that he take Thomas Philipps if &c So that he have his body here the twentith day of April last past to answer unto Edward Roe in a plea of debt which said twentith day of April On which the said Provinciall Court was to be holden was by his Lop̄ps writ of adjournment adjourned untill the fourth day of May then next Comeing At which said fourth day of May the Said Sheriff Wm Coursey made returne that he had taken the said Thomas Philipps whose body he had at the day and place as the same writ did comānd him, and the cause being then called and the deft not appeareing it was by the Court Ordered that unlesse the defendant appeare at the next Provinciall Court to answer this suite that the same Sheriff be amerced forty Shillings Sterling Now here at this Court to witt the six & twentith day of November in the 44th yeare of his Lop̄ps Dominion &c the Said deft not appeareing to answer the Suite of the plaintiff it is this day Ordered That the Said Wm Coursey late Sheriff of the said County of Talbott doe assigne unto the Said Edward Roe the Baile bond taken by him for the appearance of the said Thomas Philipps to answer the plaint of the plaintiff for his releife in the premisses. p. 586

Roger Baker
agt
John Pott

this action abates the deft being dead

Bryan Daley
agt
George Charlsworth

the Same
agt
the Same

these two actions abate the pl̄t being dead

Stephen Tully
agt
Jno Darby & Wm
Hemsley

Liber M M Jn° Emet
ag^{t}
Thomas Walker
David Driver
ag^{t}
Jn° Bearcroft
Jn° England & Thomas Jones
ag^{t}
Lidia Solly
Marke Cordea
ag^{t}
Thomas Baile
these five causes agreed.

p. 587 Samuel Millington
ag^{t}
George Beckwith
Thomas Jones
ag^{t}
John Jordaine
these two causes continued by consent of the Attornyes of both parties.

Thomas Bennit
ag^{t}
Richard Weller
this cause in ejectment continued untill next Court.

George Tite
ag^{t}
George Oldfeild
Jn° Cassock
ag^{t}
Jn° Lemaire & Jn° Newton
Garrett Vansweringen
ag^{t}
Jn° Quigley
Hugh Roy
ag^{t}
Jn° Quigley
Thomas Hedge
ag^{t}
Garret Vansweringen
Stephen Murty
ag^{t}
W^{m} Harris
James Beamont
ag^{t}
John Allen
these Seaven causes agreed.

Liber M M

Timothy Lowe
agt
Thomas Ball
this cause being upon appeale from Dorchester County Court & no appearance for pl̃t or deft this cause discontinued.

Robert Crosman
agt
Jno Waghopp
Wm fford
agt
Jenkin Keywin
Henry Tripp
agt
Wm Worgan
Charles James
agt
Jonas Davis & ux
these foure causes continued untill next Court.

p. 588

Henry Parker
agt
Henry Turner
Henry Turner late of Dorchester County otherwise called Henry Turner of Dorchester County in the Province of Maryland planter was Sumoned to answer unto Henry Parker of a plea that he render unto him the full and just Summe of two thousand pounds of good Sound merchantable tobacco in caske which to him he oweth and unjustly detaineth

And whereupon the Said Henry Parker by Robert Ridgely his Attorny Saith that whereas the said Henry Turner the fourth day of January 1671 by his certaine writeing Obligatory Sealed with the seale of him the said Henry Turner & Here in Court produced whose date is the day & yeare aforesaid did acknowledge himselfe to owe & Stand firmly bound unto the said Henry Parker in the full and just Sum̄e of two thousand pounds of good Sound merchantable tobacco in caske to be paid convenient in Little Choptanck River in Dorchester County at or upon the tenth day of October next ensueing the date thereof & after upon all demands to the which payment well and truly to be made the said Henry Turner did bind himselfe his heirs executors & admrs firmly by those presents Notwithstanding which the said Henry Turner the said summe of two thousand pounds of tobacco to him the said Henry Parker according to the Tenor of the said writeing Obligatory though often thereunto required hath not paid but the same to pay hath refused & gainsayed & to pay the same as yet doth refuse & deny to the damage of the said Henry Parker of One thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Henry Turner by Kenelm Cheseldyn his Attorny cometh and defendeth the force & injury when &c and prayeth liberty of Speaking hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties.

Liber M M Now here at this day to wit the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Came the said Henry Turner by his Attorny aforesaid & Saith that the said Henry Parker his action aforesaid Ought not to have for that the said Henry Saith that he hath paid the said two thousand pounds of tobacco according to the tenor of the said writing Obligatory and of this he putts himselfe upon the Country and the said Henry Parker likewise. Therefore Comand is given to the Sheriff that he cause to come here twelve &c by whom &c who neither &c to recognize &c because aswell &c. Then likewise came the jurors of that jury to witt Henry Tripp James Nuthall John Bigger Richard Bayly Tobias Wells Walter Hall David Holt Daniel Clocker Wm King Joseph Edloe Thomas Doxey and Ralph Blackhall who being impannelled Sumoned & Sworne to say the truth in the premisses upon their Oathes doe say Wee the jurors doe find it for the defendant Therefore it is considered by the Court here that the said Henry Turner recover against the said Henry Parker the summe of twelve p. 589 hundred & foure pounds of tobacco for his Costs & charges in this behalfe laid Out and expended & the Said Henry Parker in mercy for his false clamor.

Walter Hall
agt
John Noble

John Noble late of St Maries County otherwise called John Noble of St Maries County in the Province of Maryland was Summoned to answer unto Walter Hall in a plea that he render unto him the summe of foure thousand pounds of tobacco which to him he oweth & unjustly detaineth

And whereupon the said Walter by Robert Carvile his Attorny saith that whereas the said John the second day of June in the yeare of Our Lord One thousand six hundred seventy foure by his certaine writeing Obligatory Sealed with the seale of him the said John & here in Court produced whose date is the same day & yeare abovewritte[n] did acknowledge himselfe his heirs executors admrs or assignes indebted unto the said Walter Hall Gent of the said County & Province aforesaid in the full & just Summe of foure thousand pounds of good Sound merchantable tobacco in casque to be paid upon all demand conveniently by the waterside for the which payment well & truly to be made he bound himselfe his heirs executors administrators & assignes Notwithstanding which the said John the said summe of foure thousand pounds of tobacco according to the tenor of the said writeing Obligatory unto him the said Walter though often thereunto required hath not paid but the same to pay hitherto hath & still doth altogether deny to the damage of him the said Walter five thousand pounds of tobacco & thereupon he bringeth his suite.

And the said John by Kenelm Cheseldyn his Attorny cometh and

Liber M M

defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill next Provinciall Court & the Same day is given to both parties here

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c came the said Walter Hall by his Attorny aforesaid & offered himselfe against the said John in the plea aforesaid & the said John Noble came likewise and the said John is content that judgment passe against him for the debt aforesaid provided what Carpenters worke the said John hath done for him the said Walter be thereout deducted Therefore it is considered by the Court here that the said Walter recover against the said John the said summe of foure thousand pounds of tobacco the debt aforesaid & Six hundred forty three pounds of tobacco costs of Suite So as what worke is done by the said John for the said Walter be by Abraham Rhodes & Marmaduke Semme appraised & thereout dedicated within fourteen dayes next ensueing the said 24th day of November

p. 590

John Balley
agt
Philip Lynes
this action abates the plt being dead.

Marmaduke Semme
agt
Thomas Witter
Joshua Guibert
agt
Daniel Hamond
Jno Allen
agt
Thomas Simpson
Joshua Guibert
agt
Rowland White
Jno England & Thomas Jones
agt
Randall Revell
Jno Ingram admr George Harris
agt
Lodowick Williams
these Seaven causes discontinued the plts not appeareing.
the Same
agt
the same

Liber M M Jno Quigley
agt
Mathew Stone
George Beckwith
agt
Thomas Lomax
Jno Edmundson
agt
Thomas Vaughan
Michael Miller
agt
Thomas Ramsey
Edward Roe
agt
Jno Ingram
the same
agt
the same
the same
agt
the Same
these Seaven causes agreed

p. 591 Wm Dave admr of
Jno Parker
agt
John Pollard
Continued by Consent

Jno Baker
agt
Jno Tingle
the Sheriff of Cecil County in miserecordia 40s

Wm King
agt
Wm Dare admr
Jno Parker
continued & preemptorily to come to tryall next Court.

Jno Quigley
agt
Jacob Jenifer
Stephen Perdieu
agt
Peter Bawcomb &
Jno Stanley
these two causes continued by Consent.

Jno Emerson
agt
Wm Hemsley
Joseph Hext
agt
Pope Alvey

Liber M M

Jn° Larkin
agt
Cornelius Stewart
Garret Vansweringen
agt
Jn° Quigley
the same
agt
the same
the same
agt
the same
these Six causes agreed.

Samuel Winslow
agt
Wm Ladds
Christopher Rousby
agt
Jn° Gramar
Continued.

James Price
agt
Henry Smith
discontinued for want of appearance of either party.

p. 592

Thomas Mountfort
agt
Jn° Brookes
Cornelius Corneil
agt
Thomas Warner
these two causes discontinued

Samuel Winslow
agt
George Colleson
Jn° Ingram
agt
Thomas Vaughan
Jn° Ingram
agt
Thomas Mountfort
the same
agt
the same
the Sheriff of Talbott County haveing returned Cepi in these foure actions & the defts not appeareing It is Ordered that the same Sheriff be in miserecordia unlesse he bring their bodyes here next Provinciall Court.

Jn° Ingram
agt
Richard Bayly
the defendt appeares by Kenelm Cheseldyn his Attorny & imparles untill next Court

Richard Bayly
agt
Thomas Pagett
the deft appeares by John Rousby his Attorny & imparles untill next Court.

Liber M M Richard Bayly
agt
Thomas Mountfort
Wm Hambleton
agt
John Scott
Jno Sanders
agt
John Hartwell
these three actions agreed.

Robert Ridgely
agt
Arthur Carleton admr
Thomas Carleton
Humphry Davenport
agt
Jonathan Hopkinson
the defts appeare by Mathew Warde their Attorny & imparle untill next Court.

Thomas Taylor
agt
John Richardson
the deft appeares by Vincent Lowe his Attorny & imparle untill next Court.

p. 593 Humphry Davenport
agt
Robert Landman
Vincent Lowe
agt
Vincent Atcheson
Robert Knapp
agt
John Browne
Rowland Williams
agt
James Ives
Robt Knapp
agt
Edmund Webb
Thomas Notley
agt
Edward Russell
these Six causes agreed.

Garrett Vansweringen
agt
Luke Barnwell
the deft appeares by John Quigley his Attorny & imparles untill next Court.

Robt Knapp
agt
Nicholas Hackett
Unless the deft appeare next Court the Sheriff of Talbott County amercied 40s.

Liber M M

Henry Lewis
ag^{t}
John Gray

Unlesse the def^{t} appeare next Court the Sheriff of Ann Arundell County amercied 40^{s}.

Richard Ambrose
ag^{t}
Joseph Bullett
W^{m} Wilkinson
ag^{t}
W^{m} Wilkinson

the def^{ts} appeare by Benj^{a} Rozer their Attornyes & imparle untill next Court.

Richard Keene
ag^{t}
Arthur Carleton adm^{r}
Tho: Carleton
the same
ag^{t}
the same

the def^{t} appeares by Mathew Warde his Attorny & imparle untill next Court.

Charles Delaroch
ag^{t}
Robert Scott
the Same
ag^{t}
W^{m} Crosse
the Same
ag^{t}
Cornelius Cornhil

these three causes agreed.

Charles Delaroch
ag^{t}
John Hollingsworth

the def^{t} by Vincent Lowe his Attorny appeares & imparle untill next Court.

p. 594

the same
ag^{t}
Edward Johnson

Unlesse the def^{t} appeare next Court the Sheriff of Dorchester County amercied 40^{s}

John Hall
ag^{t}
Cornelius Cornhill
John Quigley
ag^{t}
James Hall

these two causes agreed.

Patrick Sullivant adm^{r}
Jn^{o} Nevill
ag^{t}
Jn^{o} Desjardiens
Arthur Wright
ag^{t}
Edward Williams

Unlesse the def^{ts} appeare next Court the Sheriff of Cecil County in miserecordia

Liber M M Wm Bishopp
agt
Thomas Brusse
Wm Hemsley
agt
Jno Emerson
Walter Rowles
agt
Mathew Mason
Mathew Warde
agt
Wm Gaskell
James Lewis executr
Benja Hunton
agt
George Gunnell
Wm Phelps
agt
Daniel Clarke
these Six causes agreed.

Robert Carvile
agt
Arthur Carleton admr
Tho: Carleton
Robert Williams
agt
George Robbins
the defts appeare by Mathew Warde their Attorny & imparle untill next Court.

p. 595 Zachary Wade
agt
John England
the deft appeares by Kenelm Cheseldyn his Attorny & imparles untill next Court.

Henry Allanson
agt
Robert ffrancklin
Unlesse the deft appeare next Provinciall Court the Sheriff of Ann Arundell County in misercordia.

Gerard Slye
agt
John Allen
Unlesse the deft appeare next Court the Sheriff of Charles County in miserecordea.

Jno Allen
agt
Randall Brendt
the same
agt
the same
Gerard Slye
agt
Henry Bonner
the defts by Samuel Cressey their Attorny appeare & imparle untill next Court.

Liber M M

Daniel Jenifer
ag^t
Henry Turner
the Same
ag^t
the Same
Ledia Solly
ag^t
W^m Coleborne
Robert Carvile
ag^t
Hugh ffrench
John ffoster
ag^t
Andrew Insley
Henry Allenson
ag^t
W^m Burges execut^r
George Puddington

these Six causes agreed.

Daniel Jenifer
ag^t
Mathew Stone

the def^t by Benj^a Rozer his Attorny appeares & imparles untill next Court.

Mathew Paine
ag^t
Thomas Vaughan

Unlesse the def^t appeare next Court the Sheriff of Talbott County in miserecordia

p. 596

Jonathan Squire adm^r
Jn^o Morecroft
ag^t
Joseph Sumner
The Same
ag^t
Thomas Daborne
the Same
ag^t
Thomas Stone
John ffrench
ag^t
John Edmondson
the same
ag^t
the Same
Thomas Carvile
ag^t
George Hussurt

these Seven causes agreed

Liber M M Thomas Jones
agt
Peter Archer

Jonathan Squire admr of
Jno Morecroft
agt
Thomas Norris
Jno Carter
agt
Thomas Pattison
the defts by Mathew Warde their Attorny appeare & imparle untill next Court.

Jno Pollard
agt
Wm Dare admr of
Jno Parker
Lidia Solly admrx of
Benja Solly
agt
Wm Rosewell
the defts by Robert Carvile their Attorny appeare & imparle untill next Court.

Thomas Jones
agt
Alexander Draper
the same
agt
the same
the deft by Robert Ridgely his Attorny appeare & imparle untill next Court.

Jno England
agt
ffrancis Lovelace
Unlesse the deft appeare next Court the Sheriff of Baltemore County amercied 40s.

p. 597 Thomas Jones
agt
Rowland White
Stephen Murty
agt
Joshua Doyne
Kenelm Cheseldyn
agt
Wm Raspin
Philip Udall
agt
Henry Mitchell
these foure causes agreed.

Jno England
agt
ffrancis Wine admr Wm
Marshall
the deft by Benja Rozer his Attorny appeares & imparles untill next Court.

Kenelm Cheseldyn
agt
Thomas Russell
discontinued

Liber M M

Henry Jowles
agt
Joseph Tilley
Unlesse the deft appeare next Court the Sheriff of Calvert County amercied 40s

John Bigger
agt
Robert Lashley
Robert ffarrer
agt
Ellis Coleman
Jno Bigger
agt
Charles Gregory
these three actions abate the plts being dead.

Thomas Wall
agt
Wm Worgan
the deft by Jno Rousby his Attorny appeares & imparles untill next Court.

Edward Roe
agt
Thomas Vaughan
Lidia Solly admr of
Benja Solly
agt
Ellis Coleman
these two causes agreed

Jno Rogers
agt
George Vtie
Unlesse the deft appeare next Court the Sheriff of Baltemore County in miserecordia.

p. 598

Christopher Rousby
agt
Henry Mitchell &
Richard Bayly
Unlesse the deft Bayly appeare next Court the Sheriff of Calvert County amercied 40s

Jno Peerce
agt
Arthur Carleton admr
Thomas Carleton
Unlesse the deft appeare next Court the Sheriff of Cecil County amercied 40s

Andrew Insley
agt
Richard Meekins
the same
agt
the Same
Elizabeth King
agt
the same
the deft by Robert Carvile appeares & imparles untill next Court.

Wm Wheatly
agt
Robert Wilson
Unlesse the deft appeare next Court the Sheriff of Baltemore County amercied

Liber M M Thomas Crundall
ag^{t}
Josias ffendall
Rich: Hassell & Thomas Crundall
ag^{t}
the Same
Richard Smith
ag^{t}
Henry Mitchell
Kenelm Cheseldyn
ag^{t}
Jn^{o} Beale
W^{m} Wheatly
ag^{t}
Jn^{o} Howard
these five causes agreed.

Thomas Walker
ag^{t}
Ann Kenide ex W^{m} Kenide
Kenelm Cheseldyn
ag^{t}
W^{m} Cussens
the same
ag^{t}
John Pickering
these three causes agreed.

p. 599 George Parker
ag^{t}
Robert Proctor
the def^{t} by Thomas Bland his Attorny appeares & imparles untill next Court.

Humphry Warren
ag^{t}
Thomas Taylor
Unlesse the def^{t} appeare next Court the Sheriff of Dorchester County amercied

Richard Pery
ag^{t}
Daniel Jenifer
Marmaduke Semme
ag^{t}
Edward Tarleton
the def^{ts} appeare by Robert Ridgely their Attorny & imparle untill next Court

Richard Moy
ag^{t}
Henry Mitchell
the same
ag^{t}
Ninian Beale
Unlesse the def^{ts} appeare next Court the Sheriff of Calvert County amerced.

Liber M M

the same
ag^{t}
Thomas Adams

Jonathan Squire
ag^{t}
John Wells
Unlesse the def^{t} appeare next Court the Sheriff of Kent County amerced.

Kenelm Cheseldyn
ag^{t}
Henry Cox
Mathew Paine
ag^{t}
James Thompson
Morgan Jones
ag^{t}
Jn^{o} Wilcocks
these three causes agreed.

Kenelm Cheseldyn
ag^{t}
Henry Bedford
the action abates the def^{t} being dead

Diana James executrix
Abell James
ag^{t}
Peter Carwardine
Jn^{o} Gilbert
ag^{t}
Alexander Wilson
Unlesse the def^{ts} appeare next Court the Sheriff of S^{t} Maries County amerced.

p. 600

John Baker
ag^{t}
Arthur Carleton adm^{r}
Thomas Carleton
Marmaduke Semme
ag^{t}
the Same
the def^{t} by Mathew Warde his Attorny appeares & imparles untill next Court.

Diana James Execut^{rx}
Abell James
ag^{t}
the same
Unlesse the def^{t} appeare next Court the Sheriff of Cecil County amercied 40^{s}.

Baker Brooke Esq
ag^{t}
Philip Shapleigh
Unlesse the def^{t} appeare next Court the Sheriff of S^{t} Maries County amercied 40^{s}.

Thomas Walker
ag^{t}
Stephen Tully
the def^{t} by John Rousby his Attorny appeares & imparle untill next Court.

Thomas Walker
ag^{t}
Jn^{o} ffreeman

Liber M M Kenelm Cheseldyn
ag^t
John Hollins

Jonathan Squire
ag^t
Thomas Griffin

Robert Ridgely
ag^t
Peter Sayer

the Same
ag^t
W^m Coursey

Gabriel Deane & Comp^a
ag^t
Jn^o Pickering

Edmund Scarburgh
ag^t
Jn^o Devorax

Jn^o Pawson
ag^t
Thomas Dent

Jn^o Price
ag^t
W^m Worgan

p. 601 W^m Jones
ag^t
Henry Hosier

these ten causes agreed.

Marmaduke Semme
ag^t
Arthur Carleton adm^r
Thomas Carleton

the Same
ag^t
the Same

John Price
ag^t
Edward Savage

the def^{ts} by Mathew Warde their Attorny appeare & imparle untill next Court.

Kenelm Cheseldyn
ag^t
George Charlsworth

the action abates the def^t being dead.

W^m Donning
ag^t
Adam Head

Jn^o Quigley
ag^t
Randall Brant

the def^{ts} appeare by Samuel Cressey their Attorny & imparle untill next Court.

Liber M M

Robert Ridgely agt Mary Wright executrix Jno Wright	the deft by Robert Carvile her Attorny appeares & imparles untill next Court.
Jno Quigley agt John Cane	the deft appeares by Benja Rozer his Attorny & imparle untill next Court.
Jno Blackfan agt Thomas Maries Richard Moy George Charlsworth	Unlesse the defts appeare next Court the Sheriff of St Maries County amercied and Charles County.
Kenelm Cheseldyn agt Michael Miller Jonathan Squire admr Jno Morecroft agt Robert Chapman	Unlesse the defts appeare next Court the Sheriff of Kent County amercied.
Richard Pery agt Arthur Carleton admr Thomas Carleton	Unlesse the deft appeare next Court the Sheriff of Cecil County amercied.
Charles Calvert Esq agt Thomas Taylor	Unlesse the deft appeare next Court the Sheriff of Dorchester County amercied.
Wm Jones agt Tobias Barrington	agreed
Wm Jones agt Edward Roe Benony Eaton & Compa agt Peter Sayer the Same agt Arthur Emmery Benony Eaton agt Jno Stanley the Same agt Edward Winckles	these Seven causes agreed.

p. 602

Liber M M Wm Calvert Esq
agt
Thomas Vaughan
the Same
agt
the Same

Robert Lambden
agt
Humphry Davenport
Benony Eaton
agt
Wm Hemsley
Christopher Rousby
agt
Richard Bayly
Unlesse the defts appeare next Court the Sheriff of Talbott County amercied.

Benony Eaton
agt
Jonathan Hopkinson
the Same
agt
Nicholas Haggett
Jarvis Ballard
agt
Richard Bayly
the defts by Mathew Warde their Attorny appeare & imparle untill next Court.

Charles Delaroch
agt
Nehemiah Blackiston
Unlesse the deft appeare next Court the Sheriff of St Maries County amercied.

the Same
agt
John Allen
Unlesse the deft appeare next Court the Sheriff of Charles County amercied.

ffrancis Maude
agt
Ambrose Bayly
the deft by Benja Rozer his Attorny appea[res] & imparle untill next Court.

p. 603 Richard Ambrose
agt
Lidia Solly admrx Benja Solly.
Wm Rosewell
agt
Henry Poulter
the defts by Robert Carvile their Attorny appeare & imparle untill next Court.

Liber M M

Kenelm Cheseldyn
agt
Henry Adams & Thomas Mathews
Nehemiah Blackiston
agt
Arthur Thompson
Jno Denis
agt
the Same

the defts by Samuel Cressey their Attorny appeare & imparle untill next Court.

ffrancis Jenkins
agt
Thomas Roe
the same
agt
the same
Garret Vansweringen
agt
Wm Harris
Wm Coursey
agt
Wm Trew & Thomas Mountfort

these foure causes agreed

Jno Quigley
agt
James Lewis
Richard Moy
agt
Thomas Baile
the same
agt
Thomas Simpson

Unlesse the defts appeare next Court the Sheriff of St Maries County amercied.

Jno Quigley
agt
Jonathan Hopkinson
Richard Bayly
agt
Wm Baxter

Unlesse the defts appeare next Court the Sheriff of Talbott County amercied.

Richard Moy
agt
Henry Bonner

the deft by Samuel Cressey his Attorny appeares & imparles untill next Court.

the same
agt
ffrancis Kilborne

Unlesse the deft appeare next Court the Sheriff of Charles County amercied.

Liber M M p. 604

Richard Moy
agt
George Gunnell
Unlesse the deft appeare next Court the Sheriff of Somerset County amercied

Rowland Williams
agt
James Ives
Unlesse the deft appeare next Court the Sheriff of Baltemore County amercied

ffrancis Swinfen
agt
Jno Bigger
Unlesse the deft appeare next Court the Sheriff of Calvert County amercied.

Joseph Eaton
agt
Jno Mitchell James Cleyland & Edward Winckles
the defts Mitchell & Winckles by Mathew Warde their Attorny appeare & imparle untill next Court.

Daniel Jenifer
agt
Wm Lucas & Ri: Moy

Gerard Slye
agt
Richard OKaine

Garret Vansweringen
agt
Thomas Baile

the same
agt
Timothy Tracey

the same
agt
James Lewis

the same
agt
the same

Unlesse the defts appeare next Court the Sheriff of St Maries amercied.

Jno Tarkington
agt
Richard Hill
the deft by Robert Carvile his Attorny appeares & imparle untill next Court.

Daniel Clarke
agt
Wm Worgan

Garret Vansweringen
agt
Joshua Guibert

the same
agt
Robert Doyne

these foure causes agreed.

Liber M M

the same ag^{t} Thomas Clegatt.	
Jn^{o} Gilbert adm^{r} Roger Roberts ag^{t} Augustine Herman	the def^{t} by Mathew Warde his Attorny appeares & imparles untill next Court. p. 605
the Same ag^{t} Thomas Overton the same ag^{t} W^{m} Hollis	Unlesse the def^{ts} appeare next Court the Sheriff of Baltemore County amercied.
Marmaduke Semme ag^{t} Edward Tarleton	the def^{t} by Robert Ridgely his Attorny appea[res] & imparles untill next Court.
Garret Vansweringen ag^{t} Thomas Clegatt the Same ag^{t} James Nuthall	Unlesse the def^{ts} appeare next Court the Sheriff of Calvert County amercied.
the Same ag^{t} Benj^{a} Cloyster the same ag^{t} the same	the def^{t} by John Rousby his Attorny appeares & imparles untill next Court.
the Same ag^{t} Jn^{o} Cane	agreed
the Same ag^{t} Kelem Mackloglin	the def^{t} by Benj^{a} Rozer his Attorny appeares & imparles untill next Court.
the same ag^{t} George Gunnell	Unlesse the def^{t} appeare next Court the Sheriff of Somersett County amercied.
the same ag^{t} Henry Exon the same ag^{t} John Nuthall	

Liber M M the same
agt
Joseph Edloe
Jn° Pitt
agt
Samuel Hatton
Jn° Newton
agt
Wm Stevens & Jn°
Winson
these five causes agreed.

p. 606 Garrett Vansweringen
agt
Thomas Beale
Unlesse the deft appeare next Court the Sheriff of St Maries County amercied.

Henry Spry
agt
Jn° Barber
Unlesse the deft appeare next Court the Sheriff of Somersett County amercied

Mathew Paine
agt
John Jordaine
the deft by Robt Carvile his Attorny appeares & imparle untill next Court

Jn° Moll
agt
Arthur Wright
the same
agt
the same
the same
agt
Wm Worgan
the same
agt
the same
Garret Vansweringen
agt
Arthur Wright
Jn° Quigley
agt
Jn° Richardson
Unlesse the defts appeare next Court the Sheriff of Dorchester County amercied.

Jn° Moll
agt
Wm Hemsly
Edward Roe
agt
John Boone
Jn° Moll
agt
George Robbins
Unlesse the defts appeare next Court the Sheriff of Talbott County amercied.

Parties	Proceedings
Edward Roe ag^t James Browne Kenelm Cheseldyn ag^t Jn° Quigley	agreed.
Jn° Southy ag^t Henry Turner	the def^t by Vincent Lowe his Attorny appeares & imparle untill next Court.
Jn° Moll ag^t Vincent Atcheson	Unlesse the def^t appeare next Court the Sheriff of Kent County amercied
Jn° Quigley ag^t Jn° Rawlins the same ag^t the same Jn° Quigley ag^t Jn° Baker	the def^{ts} by Robert Ridgely their Attorny appeare & imparle untill next Court.
Ralph Hutchinson ag^t George Hurlock	the def^t by Jn° Rousby his Attorny appeares & imparles untill next Court.
Jn° Quigley ag^t Richard Moy the Same ag^t Charles Delaroch	Unlesse the def^{ts} appeare next Court the Sheriff of S^t Maries County amercied
Edward Roe ag^t John Boone	upon appeale the def^t by Mathew Warde his Attorny appeares & imparles untill next Court
John Rider ag^t John Quigley Thomas Courtney ag^t the Same Philip Calvert Esqꝫ ag^t the Same Elizabeth Decosta ag^t the Same	

p. 607

Liber M M Thomas Paine
ag^{t}
the same
Thomas Walker
ag^{t}
the same
Jn^{o} Roberts
ag^{t}
the same
the same
ag^{t}
the same
Stephen Murty
ag^{t}
Samuel Cressey

the def^{ts} appeare in their proper persons & imparle untill next Court.

Henry Exon
ag^{t}
Thomas Wynn

bill filed

p. 608 Roger Baker adm^{r}
Henry Jubbar
ag^{t}
Thomas Gant

Thomas Gant late of Calvert County was attached to answer unto Roger Baker administrator of the Goods & Chattells of Henry Jubber deceased in a plea of trespas On the case.

And whereupon the said Roger Baker by Robert Ridgely his Attorny complaineth that whereas the Said Henry Jubbar the twentith day of June in the yeare of Our Lord One thousand six hundred seventy three at the Speciall instance & request of him the said Thomas Gant delivered unto him the said Thomas divers goods & merchandizes to witt fourteene peices of ffrize containeing Six hundred & three bandles ten hatts, One redd Rugg, tenn yards of linnen to be delivered to the said Roger Baker then liveing in Petuxent River & if not so delivered then to be returned back againe to the said Henry Jubbar & if not so returned then to pay & allow unto the said Henry the full value of what the said goods was worth in this Province at that time the Said Thomas received them. The Said Thomas Gant did assume upon himselfe & to the Said Henry did faithfully promise that he the Said Thomas would deliver the said goods as aforesaid to the Said Roger or returne them backe againe to the said Henry Jubbar as aforesaid & if not so returned to pay unto the said Henry the full value of what at that time they were worth in this Province And the Said Roger in fact Saith that the said Henry Jubbar did deliver unto the said Thomas the said Goods & merchandizes to be delivered to the Said Roger as aforesaid or else to be returned to him the said Henry in like manner as the said Thomas received them, otherwise to pay unto him the Said Henry the full value of what the said goods at that time was worth in this Province and further Saith that the Said Henry Jubbar was Master of a Shipp and brought the Said goods into this Province to trade and merchandize with & that the same in the Kingdome of Irland cost him the Said Henry the Summe of Sixteen pounds Six Shillings & eleaven pence Sterling mony of England & that the said goods and merchandizes at that tyme the said Thomas received them in this Province was well worth the summe of ten thousand pounds of tobacco Notwithstanding which the Said Thomas the Said goods & merchandizes to the Said Roger Baker hath not delivered nor returned the same to the Said Henry Jubbar nor paid unto him the said Henry the said value of the Said goods nor any Satisfaction for the same to him the Said Henry in his life time nor to the Said Roger Since his death to whom Administration of all & Singular the goods & Chattells that was the Said Henry at the time of his death hath bin committed though often thereunto required hath not in manner & forme aforesd performed or any Satisfaction for the Same made but the same to doe hath & Still doth deny to the damage of the said Roger fifteen thousand pounds of tobacco & thereupon he bringeth his suite Liber M M

And the Said Roger also bringeth here into Court the Letters of Administracōn to him granted of all & Singular the goods & Chattells which were the said Henry at the time of his death since his death committed that it may appeare to the Court here that he is Adm^{r} of the Said Henry & thereupon to have Administracōn

And the Said Thomas Gant by Robert Carvile his Attorny cometh & defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court the Same day is given to both parties here. p. 609

Afterwards to witt the two & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ 1675 Came the said Thomas Gant by his Attorny aforesaid & saith he did not assume upon himselfe & to the said Henry Jubbar make Such promise as in the said declaration is above complained off & of this he putts himselfe upon the Country & the plaintiff likewise Therefore it is Comanded the Sheriff that he cause to come here twelve &c by whom &c to recognize &c who neither &c because aswell &c.

Att which said two & twentith day of November in the yeare aforesaid came aswell the parties aforesaid by their Attornyes as the jurors of that jury likewise came to witt Walter Hall W^{m} Thomas Richard Meekins James Ringold Arthur Wright Peter Watts Demetrius Cartwright David Holt John Tant John Garnish Raymond Stapelfort & John Derry who being impannelled Sum̄oned & Sworne to Say the truth in the premisses upon their Oathes doe Say Wee the jurors doe find for the plaintiff only with this allowance to M^{r} Thomas Gant One hhd̄ of tobacco paid M^{r} Darnall weight neat 375 ℔ for two Evidences attendance 180 ℔ to 28 yards of Irish

Liber M M ffrize 7 ƚ Ᵽ yd 196 ƚ in all 751 ƚ this to be deducted Out of the accompt of Jubbar to Mr Gant. Which said Verdict of the jurors aforesaid being read & heard the defts Attorny moves in arrest of Judgment whereupon day is given to both parties here untill the morrow, On which said Morrow to witt the three & twentith day of November in the yeare aforesaid Came the said Roger & Thomas by their Attornyes aforesaid & Thomas Truman Esqꝫ One of the justices of this Court being an evidence in this cause refused to sitt as a judge who was afterwards admitted by the Court whereupon it is considered by the Court here that a new Venire issue to the Sheriff returnable next Court.

Wm Donning
agt
John Barnes executr
Walter Waterling

the deft by Kenelm Cheseldyn his Attorny appeares & imparles untill next Court.

Mr Ridgely

I doe hereby authorize you to acknowledge Satisfaction upon Record of the three judgments obteined by Mr Samuel Winslow Admr of Webb against John Bowles Admr of Battin And for yr So doeing this shall be your Sufficient warrant as wittnes my hand this Sixtenth day of December A. Dom̄ 1675. Chr Rousby.

To Mr Robert Ridley One
of the Attornyes of the
Provinciall Court
Testis
Rob Carvile.

p. 610 John Quigley
agt
Ralph Blackhall

the plaintiff moves for Special bayle, whereupon the deft is Com̄itted into the Custody of the Sheriff of St Maries County untill he putts in Speciall bayle Afterwards to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius Came the said Ralph Blackhall and Richard Tilghman & John Edmondson his Suertyes & acknowledged in Open Court that if the Said Ralph Blackhall be cast in this suite & doe not satisffie the condemnation thereupon that they will satisfie & pay the Same.

Afterwards to witt the Six & twentith day of the same November it is the judgment of the Court here that for want of pleading the deft accompt & yt Mr Christopher Rousby & Mr Thomas Dent be armed with a Com̄ission to examine wittnesses upon Oath & to state & audite the accompts betweene the Said parties upon the tenth day of January next & report thereof make here the next Provinciall Court.

Thomas Hussey
agt
Benja Rozer admr
Joseph Pearse

Benjamin Rozer High Sheriff of Charles County Liber M M
admr of the goods and Chattells of Joseph Pearse deceased was attached to answer unto Thomas Hussey Gent in a plea of trespas of the case

And whereupon the Said Thomas by Robert Carvile his Attorny Saith that the Said Joseph labouring of a distemper whereof he Soon after dyed did about the Sixtenth day of July in the yeare of our Lord One thousand Six hundred Sixty foure earnestly desire and importune the said Thomas to permitt him to come and lodge at the Said Thomas house there to have his accomodation and to be attended in his sicknesse he the said Joseph assuming upon himselfe and to the Said Thomas did faithfully promise that he the said Joseph would well & truly pay unto him the Said Thomas for Such his accomodac̄ons and for what he the Said Thomas Should expend and lay Out for him in his Sicknesse what he Should reasonably deserve And the Said Thomas in fact Saith that the said Thomas did accordingly at the Speciall and earnest request of the said Joseph entertaine him as a lodger in his Said house and the said Joseph did continue in the said house from the Said Sixtenth day of July aforesaid untill the eight & twentith day of September following at which tyme he dyed being about eleaven weekes dureing all which tyme he the said Thomas did find and allow unto him the said Joseph Sufficient meate drinke washing lodging & other necessary accomodations and did attend him carefully in his Said Sicknesse for which he well deserved to have fifty pounds of tobacco ꝑ day which in the p. 611 whole amounts unto the Summe of three thousand five hundred pounds of tobacco besides severall other Summes of tobacco which the Said Thomas laid Out for his ffunerall expences amounting to the summe of twelve hundred pounds of tobacco which together with the said Summe of three thousand five hundred pounds of tobacco amounts in the whole to the summe of foure thousand Seven hundred pounds of tobacco as by a particular accompt hereunto annexed it may appeare Yet notwithstanding the Said Benjamin the Said Promise and assumption little regarding but deviseing & fraudulently intending him the said Thomas in that behalfe to deceive & defraud the Said Joseph in his life time nor the said Benjamin Since his death the Said Summe of foure thousand Seaven hundred pounds of tobacco to him the said Thomas hath not paid or Satisfied but the Same to pay hath hitherto denyed and Still doe deny & refuse to the damage of the Said Thomas Seaven thousand pounds of tobacco And thereupon he brings his Suite.

And the Said Benjamin by Robert Ridgely his Attorny cometh and defendeth the force and injury when &c and prayeth licence to imparle here untill next Provinciall Court and it is granted him the same day is given to both parties here.

Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq̃ Dom̃ One thou-

Liber M M sand Six hundred Seventy five came the said Thomas by his Attorny aforesaid and offered himselfe against the said Benj^a in the plea aforesaid and the said Benjamin by his Attorny came likewise and the said Benjamin Saith nothing in barre or avoidance of the action aforesaid of him the said Thomas whereupon the Said Thomas remaineth against the said Benjamin thereupon undefended Wherefore it is considered by the Court here that the Said Thomas Hussey recover against the estate of the said Joseph aswell the summe of three thousand three hundred pounds of tobacco damages occasioned by the trespas aforesaid as also the Summe of five hundred eighty foure pounds of tobacco costs of Suite But So as Execution thereof cease untill the Governour be Satisfied Out of the Said estate the summe of Sixty Seaven pounds Sterling.

Hugh Hopewell agt Charles Delaroch } Charles Delaroch late of St Maries Citty Inholder otherwise called Charles Delaroch of St Johns Inholder was summoned to answer unto Hugh Hopewell of a plea that he render unto him the full quantity of fifteene hundred and eighty p. 612 pounds of good Sound tobacco well Conditioned well packed which to him he oweth & unjustly deteineth

And whereupon the said Hugh Hopewell by Robert Ridgely his Attorny Saith that whereas the said Charles Delaroch the 30th day of October in the yeare of Our Lord One thousand six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said Charles and here in Court produced whose date is the day and yeare aforesaid did acknowledge himselfe to be bound & firmly obliged unto the said Hugh in the full quantity of fifteene hundred and eighty pounds of good Sound tobacco well conditioned and well packed in caske To which payment well & truly to be performd the Said Charles did oblige himselfe his executors & admrs firmly by those presents Yet the said Charles Delaroch the said Summe of fifteen hundred & eighty pounds of tobacco to him the said Hugh according to the tenor of the Said writeing Obligatory hath not paid though often thereunto required but the same to him to pay hath denyed and as yet doth deny whereupon the said Hugh Saith he is dampnified and hath losse to the value of foure hundred pounds of tobacco And thereupon he bringeth his suite.

And the said Charles in his proper person cometh & defendeth the force and injury when &c and prayeth the hearing of the Said writeing Obligatory and it is read unto him he also prayeth the hearing of the Condition of the Said writing Obligatory and it is read unto him in these words The Condition of this Obligation is Such that if the abovebound Charles Delaroch his executors adm^rs or assignes doe well & truly pay or cause to be paid unto the said Hugh Hopewell his executors adm^rs or assignes the full and just quantity of eleaven hundred & eighty pounds of good Sound mer-

Liber M M

chantable tobacco in caske Conveniently in Petuxent River On or before the five & twentith day of December next ensueing the date hereof without fraud or further delay That then this p^{r}sent Obligation to be void or else to remaine in full force & virtue

Which being read and heard this day to witt the Sevententh day of November in the 44th yeare of the Dominion of Caecilius &c Annoqȝ Dom̄ 1675 the said Charles Saith nothing in barr or avoidance of the action aforesaid of him the said Hugh for that he oweth the said Hugh the said Summe of fifteen hundred & eighty pounds of tobacco in the declaration mentioned Therefore it is considered by the Court here that the said Hugh recover against the said Charles aswell the said Summe of fifteene hundred & eighty pounds of tobacco the debt aforesaid as also the summe of five hundred pounds of tobacco costs of Suite.

Mathew Warde
ag^{t}
Arthur Carleton adm^{r}
Thomas Carleton

p. 613

Arthur Carleton administrator of the Goods and Chattells of Thomas Carleton late of Caecil County deceased was attached to answer Mathew Warde Gent One of the Attornyes of the Provinciall Court according to the libertyes & priviledges of Attornyes &c in a plea of debt.

And whereupon the said Mathew in his proper person complaineth that whereas the said Thomas the fourth day of September One thousand Six hundred Seventy two by his certaine writeing Obligatory Sealed & delivered by the Said Thomas as his deed here in Court produced whose date is the day and yeare abovesaid became bound to the Said Mathew in the full quantity of twenty thousand pounds of good Sound merchantable tobacco & caske with condition in the said writeing contained Vizt that whereas the abovenamed Thomas Carleton hath bargained & sold unto the Said Mathew Warde his plantation in Petuxent River with all the houses lands & appurtenn̄cs to them belonging for the consideration of tenn thousand pounds of tobacco paid and to be paid if therefore the said Thomas Carleton his heirs executors or administrators or any of them doe well & truly make and assure or cause to be well made and assured unto the said Mathew Warde his heirs and assignes for ever the said Plantation with the houses Lands and appurtenn̄cs by Such assurance and Conveyance in the Law as Counsell shall advise devise and require at or before the twenty fourth day of December then next ensueing the date hereof that then the Obligation to be void Notwithstanding which neither the Said Thomas in his life time nor the said Arthur administrator of the Said Thomas Since his death nor any other person in the Said Condition mentioned hath made and assured or caused to be made and assured unto the Said Mathew the said Plantation and premisses according to the tenor

Liber M M of the Said writeing but hath and doth altogether refuse to performe the Same Whereupon the said Mathew Saith he is dampnified and hath losse to the Value of tenn thousand pounds of tobacco and thereupon he bringeth his Suite.

Now here at this day to witt the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄ One thousand six hundred Seventy five came the said Arthur in his proper person and Saith nothing in barr or avoidance of the action aforesaid of him the said Mathew for that he oweth the said Mathew the said Summe of twenty thousand pounds of tobacco in such manner as the said Mathew hath above declared against him therefore it is considered by the Court here that the said Mathew recover against the estate of the said Thomas the said Summe of twenty thousand pounds of tobacco with costs of Suite.

Costs allowed the plaintiff five hundred twenty eight pounds of tobacco.

p. 614 Garrett Vansweringen
agt
William Harris

Wm Harris late of St Maries County otherwise called William Harris of the County of St Maries in the Province of Maryland was Sum̄oned to answer unto Garrett Vansweringen in a plea that he render unto him the summe of Seaven hundred & nineteen hundred pounds of tobacco which to him he oweth & unjustly deteineth &c

And whereupon the Said Garrett by Kenelm Cheseldyn his Attorny Saith that whereas the Said William the ninetenth day of April in the yeare of Our Lord One thousand Six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said Wm here in Court produced whose date is the same day and yeare abovewritten was holden & firmly bounden unto him the said Garrett in the full quantity of Seaven hundred & nineteen pounds of good Sound merchantable tobacco in caske being for a valuable consideration already received to be paid unto him the said Garrett or to his certaine Attorny his heirs executors admrs or assignes Convenient in the County aforesaid at or before the tenth day of October next ensueing the date hereof Notwithstanding which the said Wm the aforesaid Summe of Seaven hundred & nineteen pounds of tobacco to him the said Garrett according to his said writeing Obligatory hath not paid but the same to pay hath altogether denyed & still doth deny whereupon he Saith he is dampnified & hath losse to the value of fourteene hundred pounds of tobacco & thereupon he bringeth his Suite.

Now here as this day to witt the three & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqꝫ Dom̄

1675 came the said Wm Harris in his proper person and Saith nothing in barre or avoidance of the action aforesa[id] of him the said Garrett for that he oweth the said Garrett the Said Summe of Seaven hundred and nineteen pounds of tobacco in such manner & forme as the Said Garrett hath above declared whereupon the Said Garrett remaineth against the said William thereupon wholly undefended Therefore it is considered by the Court here that the Said Garrett recover against the said Wm aswell the summe of Seaven hundred & nineteen pounds of tobacco the debt aforesaid as also the Summe of pounds of tobacco costs of Suite and the said Wm Harris in mercy &c. Liber M M

John Moll
agt
Garrett Vansweringen

Garrat Vansweringen late of St Maries County Gent[1] otherwise called Garrat Vanswearingen of the Citty of St Maries in the Said Province Inholder was summon[ed] to answer unto John Moll of a plea that he render unto him the summe of thirty Six thousand pounds of good Sound merchantable tobacco and casque which to him he oweth & unjustly deteineth. p. 615

And whereupon the said John Moll by Robert Ridgely his Attorny Saith that whereas the Said Garret Vansweringen the first day of June in the three & fortith yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ One thousand Six hundred Seventy five at St Maries Citty aforesaid did borrow of him the said John Moll the Said Summe of thirty Six thousand pounds of tobacco to be paid to the Said John when thereunto required Notwithstanding which the Said Garrat the said thirty Six thousand pounds of tobacco to him the Said John though often thereunto required hath not paid but the Same to pay hath denyed and as yet doth deny to the damage of the Said John fifty thousand pounds of tobacco and thereupon he produceth his Suite.

Memorandum that this fourth day of November in the foure & fortith yeare of the Dominion of Caecilius &c Annoꝗ Dom̄ 1675 before me Philip Calvert Esꝗ Chancellour of this Province & One of the justices of the Provinciall Court at my house at Popes ffreehold in the County of St Maries personally appeared Garrat Vansweringen abovenamed in his proper person and did consent that judgment should passe against him for the Said Summe of thirty Six thousand pounds of tobacco at the Suite of the Said John Moll in manner and forme as the Said John Moll above against him hath declared provided that execution thereof shall cease untill the twentith day of ffebruary next.

Taken and acknowledged before
me the said fourth day
of November 1675
Philip Calvert.

G V Sweringen

Liber M M Thomas Jones agt Thomas Pattison } Thomas Pattison late of Dorchester County was attached to answer unto Thomas Jones in a plea of trespas upon the case.

And whereupon the Said Thomas Jones by Kenelm Cheseldyn his Attorny complaineth that whereas the Said Thomas Pattison the ninetenth of October 1674 Stood indebted to the said Thomas Jones the summe of foure thousand eight hundred ninty three pounds of tobacco the said Thomas Pattison did assume upon himselfe & to the said Thomas Jones did faithfully promise that he the said Thomas Pattison the same when thereunto required would well & truly content & pay Notwithstanding which the said Thomas Pattison though often required the Same hath not paid to him
p. 616 the Said Thomas Jones but the same to pay hitherto hath and Still doth deny to the damage of the said Jones the summe of Six thousand pounds of tobacco & thereupon he bringeth his suite

Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq Dom̄ One thousand Six hundred Seventy five came the said Thomas Pattison by Vincent Lowe his Attorny and defendeth the force and injury when &c and Saith nothing in barre or avoidance of the action aforesaid of him the said Thomas Jones because he oweth the said Thomas Jones the said summe of foure thousand eight hundred ninty three pounds of tobacco in such manner and forme as the said Thomas Jones hath above declared whereupon the said Thomas Jones remaineth against the said Thomas Pattison thereof undefended Therefore it is Considered by the Court here that the said Thomas Jones recover against the said Thomas Pattison aswell the summe of foure thousand eight hundred ninty three pounds of tobacco for his damages occasioned by the trespas aforesaid as also the Summe of five hundred twenty eight pounds of tobacco costs of Suite & the said Thomas Pattison in mercy.

Esq Lowe my accompt to Capt Jones is foure thousand eight hundred and ninty three I desire you will please to confesse judgmt On my behalfe & likewise for Mr Cheseldyne ffees & also be pleased to appeare for me at the Suite of Mr Carter
November 20th 1675. Your humble Servant
Tho: Pattison

Christopher Goodhand agt Tobias Wells executr Mary Pine } Tobias Wells executor of the last will and Testament of Mary Pine late of Kent County widdow deceased was attached to answer unto Christopher Goodhand of a plea of trespas on the case.

And whereupon the Said Christopher by Robert Ridgely his Attorny complaineth that whereas the Said Mary in her life time to wit the fifteenth day of September in the yeare of Our Lord 1672 in consideration that the Said Christopher at the Speciall instance & request of her the Said Mary would Serve her the Said Mary in the receiving of her debts and manageing her businesse and affairs as her Steward and Bayliff from the said fiftenth of September for One whole yeare then next following and afterwards So long as both parties should agree the said Mary did assume upon her Selfe and to the said Christopher did faithfully promise that she the said Mary would pay unto the said Christopher the summe of foure thousand pounds of tobacco & caske for the Said yeares Service when thereunto required & also would pay unto the Said Christopher proportionably to the said foure thousand pound[s] of tobacco p annum for any time he should Serve her over & above the Said yeare And the Said Christopher in fact Saith that trusting to the faithfull promise & assumption of the Said Mary to him the Said Christopher So as aforesaid made he the said Christopher the Said Mary in the Office & imployment aforesaid did Serve from the Said fiftenth day of September in the yeare aforesaid untill the fiftenth day of October in the yeare One thousand Six hundred Seventy three being thirteene months which at the rate of foure thousand pounds of tobacco p annum amounteth to in the whole the Summe of foure thousand three hundred thirty three pounds of tobacco Yet the Said Mary in her life time nor the Said Tobias executor of the last will & Testament of the Said Mary Since her death the Said Christopher the Said Summe of foure thousand three hundred thirty three pounds of tobacco have not paid or Satisfied though often thereunto required but the Same to pay or Satisfie hath refused and denyed & as yet doe refuse & deny to the damage of the Said Christopher Six thousand pounds of tobacco And thereupon he bringeth his Suite. p. 617

And the Said Tobias by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill next Court and it is granted him the Same day is given to both parties here.

Att which said next Provinciall Court to wit the Sixtenth day of November in the 44th yeare of the Dominion of Caecilius &c Came the Said Christopher by his Attorny aforesaid & offered himselfe against the said Tobias in the plea aforesaid & the Said Tobias likewise by his Attorny came and the said Tobias Saith that the said Mary in her life time nor the said Tobias Since her death did not make Such promise and assumption to the Said Christopher as the said Christopher hath above against him declared and of this he putts himselfe upon the Country and the Said plaintiff likewise Therefore it is comanded the Sheriff that he cause to come here twelve &c who neither &c by whom &c to recognize &c because aswell &c.

Afterwards to wit the twentith day of November in the yeare

Liber M M aforesaid came aswell the said Christopher by his Attorny aforesaid & the Said Tobias by his Attorny and the jurors of that jury likewise came to witt Walter Hall Wm Thomas John Gittings Richard Meekins James Ringold Arthur Wright Peter Watts David Holt Demetrius Carthwright John Tant George Charlsworth and John Garnish who being impannelled sumōned and Sworne to Say the truth in the premisses upon their Oathes doe Say The jurors find for the plaintiff Therefore it is considered by the Court here that the Said Christopher recover against the estate of the said Mary aswell p. 618 the summe of foure thousand three hundred thirty three pounds of tobacco damages Occasioned by the trespas aforesaid as also the Summe of One thousand two hundred fifty two pounds of tobacco for his costs and charges in this behalfe laid Out and expended and the Said Tobias in mercy.

Charles James
agt
Thomas Williams

Thomas Williams late of the County of Calvert planter otherwise called Thomas Williams of Calvert County in the Province of Maryland planter was Summoned to answer unto Charles James of a plea that he render unto him the Summe of tenn thousand pounds of good merchantable tobacco in casque which to him he oweth and unjustly deteineth &c.

And whereupon the Said Charles James by Robert Ridgely his Attorny complaineth that whereas the Said Thomas Williams the fourth day of December in the fortith yeare of the Dominion of Caecilius Annoqȝ Dom̃ One thousand Six hundred Seventy One by his certaine writeing Obligatory Sealed with the Seale of him the said Thomas and here in Court produced whose date is the day and yeare abovesaid did acknowledge himselfe to be holden and firmly bound and also to owe and Stand indebted unto him the said Charles and unto his heirs executors and admrs and assignes in the full Summe of ten thousand pounds of good merchantable tobacco and casque to the payment of which well and truly to be made the Said Thomas did bind himselfe his heirs executrs and admrs firmly by those presents Notwithstanding which the Said Thomas the said Summe of tenn thousand pounds of tobacco to him the said Charles according to the tenor of the Said writeing Obligatory hath not paid though often thereunto required but the Same to pay hath denyed and as yet doth deny to the damage of the Said Charles of Six thousand pounds of tobacco And thereupon he bringeth his Suite.

And the aforesaid Thomas Williams by John Rousby his Attorny cometh and defendeth the force and injury when &c and the Said Thomas prayeth the hearing of the Said writeing Obligatory and it is read unto him he also prayeth hearing of the Condition of the Said writeing and it is read unto him in these words The Condition of this Obligation is Such That if the abovebounden Thomas Williams his heirs execut^{rs} administrators or assignes doe well & truly pay or cause to be paid to the abovesaid Charles James or unto his heirs executors adm^{rs} or assignes the full Summe of five thousand pounds of good bright tobacco & caske at Some convenient place upon the Clifts in Calvert County that is to Say fifteene hundred pounds of the Said tobacco upon all demands & three thousand five hundred pounds of the Said tobacco upon all demands after the tenth day of October next comeing at the place aforesaid conditioned as aforesaid that then this present Obligation to be void & of none effect otherwise to stand & remaine in full power force & vertue, which being read & heard the Said Thomas by his Attorny aforesaid prayeth liberty of Speakeing hereunto untill next Provinciall Court and it is granted him the same day is given to both parties here. Liber M M p. 619

Afterwards to witt the Sevententh day of November in the 44th yeare of the Dominion of Caecilius &c came the said Charles James by his Attorny aforesaid and the Said Thomas Williams by his Attorny came likewise and the said Thomas Saith that the Said Charles his action aforesaid against him ought not to have because he Saith that the Said writeing Obligatory is not his deed and of this he putts himselfe upon the Country and the said Charles likewise. Therefore it is Comanded the Sheriff that he cause to come here twelve &c But before the said jurors came the Said Thomas Saith nothing in barre or avoidance of the action aforesaid of him the said Charles because he oweth the said Charles the Said Summe of five thousand pounds of tobacco whereupon the Said Charles remaineth against the Said Thomas thereof undefended Therefore it is considered by the Court here that that Said Charles James recover against the said Thomas W^{ms} aswell the Summe of five thousand pounds of tobacco the debt aforesaid as also the Summe of thirteene hundred and Sixteene pounds of tobacco for his costs and charges in this behalfe laid out and expended. and the Said Thomas in mercy.

To John Rousby One of the Attornyes of the Provinciall Court.

These are to desire and authorize up to plead for me at the next Provinciall Court at the Suite of Charles James in an action of five thousand pounds of tobacco debt such plea as you Shall thinke fitt or if you shall thinke to suffer judgment to passe against me by default, and for your So doeing this Shall be your Sufficient warrant Given under my hand & Seale this 28th day of April 1675.

Sealed & delivered in the p^{r}sence of Rich: Moy. Thomas Williams (Sealed)

Liber M M

Isaac ffoxcroft
agt.
Thomas Collen

Thomas Collen late of Plymouth Marriner was attached to answer; Isaac ffoxcroft of a plea of trespas upon the case And whereupon the Said Isaac by Robert Ridgely his Attorny complaineth that whereas the Said Isaac the twentith day of January One thousand six hundred Seventy three Stood indebted to the Said Thomas the full Sum̄e of Six thousand foure hundred Seventy & five pounds of tobacco and in consideration that the Said Isaac ffoxcroft at the Speciall instance & request of him the Said Thomas Collen would deliver unto him the Said Thomas Severall bills & noates for tobacco due to him the Said Isaac a particular whereof is here in Court produced amounting in the whole to the summe of Sixteene thousand One hundred fifty Seaven pounds of tobacco with orders to the Severall persons debitors to the said Isaac upon the p. 620 bills & notes aforesaid to pay the Same unto the Said Thomas Collen the said Thomas Collen did assume upon himselfe & to the said Isaac did then & there faithfully promise that he the said Thomas what tobacco upon the Same that he should receive more then amounted to the Said Summe of Six thousand foure hundred Seventy five pounds of tobacco due to him from the Said Isaac as aforesaid he the Said Thomas the Overplus thereof would well and truly to the said Isaac Satisfie and pay And the Said Isaac in fact Saith that he trusting to the faithfull promise of the Said Thomas did deliver unto him the Said Thomas the Severall bills & notes for tobacco aforesaid amounting to the Summe of Sixteen thousand One hundred fifty Seaven pounds of tobacco together with orders to the Severall persons debitors to the Said Isaac upon the said bills & noates to pay the Same unto the said Thomas And the said Isaac in fact further Saith that the Said Thomas Collen upon the Said bills & noates over & above the Said Six thousand foure hundred Seventy five pounds of tobacco which the Said Isaac to the Said Thomas Stood indebted as aforesaid did receive of the Severall persons therein named the Summe of Six thousand five hundred eight pounds of tobacco Notwithstanding which the said Thomas Coll[en] his promise & assumption So as aforesaid made not regarding but endeavoring and fraudulently intending him the Said Isaac of the Said Summe of Six thousand five hundred & eight pounds of tobacco So paid over & above as aforesaid craftily & Subtilly to defraud and deceive the Said Six thousand five hundred & eight pounds of tobacco to him the said Isaac according to his promise & assumption aforesaid hath not paid or hitherto given any content for the Same but the same to pay or Satisfie hath denyed & as yet doth deny to the damage of the said Isaac ten thousand pounds of tobacco And thereupon he bringeth his suite.

And the said Thomas Collen by Robert Carvile his Attorny cometh and defendeth the force and injury when &c and prayeth liberty to imparle here untill next Provinciall Court & it is granted him the same day given to both parties Liber M M

Att which Said next Provinciall Court to witt the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq Dom̄ One thousand Six hundred Seventy five Came the said Thomas by his Attorny aforesaid and Saith he did not assume upon himselfe & to the said Isaac make such promise as the said Isaac hath above against him declared and of this he putts himselfe upon the Country and the plaintiff likewise Therefore it is Comanded the Sheriff that he cause to Come here twelve &c who neither &c to recognize &c because aswell &c.

But before the Said Jurors came the Said Thomas Saith nothing p. 621
in barre or avoidance of the action aforesaid for the Summe of Six thousand five hundred & eight pounds of tobacco whereupon the said Isaac remaineth agt the said Thomas thereof undefended Therefore it is considered by the Court here that the Said Isaac ffoxcroft recover against the said Thomas Collen aswell the Summe of Six thousand five hundred & eight pounds of tobacco for his damages occasioned by the trespas aforesaid as also the sum̄e of eleaven hundred fifty eight pounds of tobacco for his costs & charges in this behalfe laid Out & expended & the Said Thomas in mercy &c.

Baker Brooke Esq
agt
Wm Hemsley

William Hemsley late of Talbott County was attached to answer Baker Brooke Esq Surveyr Generall of this Province and One of the justices of this Court according to the priviledges &c in a plea of trespas upon the case.

And whereupon the said Baker Brooke by Robert Carvile his Attorny Saith that the said Wm being upon the Sixtenth day of November in the yeare of Our Lord One thousand Six hundred Seventy-five justly indebted unto the said Baker in the summe of twenty thousand pounds of tobacco he the said Wm did then assume upon himselfe and to the said Baker faithfully promise that he the said Wm the said summe of twenty thousand pounds of tobacco to him the said Baker would well & truly pay & satisfie when thereunto required Yet notwithstanding the said William the said summe of twenty thousand pounds of tobacco to him the said Baker though often thereunto requested hath not paid or Satisfied but the same to pay hath altogether denyed and refused and Still doth deny to the damage of the said Baker twenty thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said William the foure & twentith day of November in p. 622
the yeare aforesaid by Vincent Lowe his Attorny cometh and defendeth the force & injury when &c & Saith that he saith nothing in barre of the said Plaintiffs action but Saith that he is willing that the said plaintiff should recover against him the said Summe of

Liber M M twenty thousand pounds of tobacco with costs of Suite provided the said William doth not by the last day of January next pay or cause to be paid to the said Baker the full Summe of tenn thousand pounds of tobacco therefore it is considered by the Court here that the said Baker recover against the said W^{m} the said Summe of twenty thousand pounds of tobacco So as aforesaid together also with the Summe of pounds of tobacco for his costs and charges in this behalfe laid Out and expended.

I doe hereby impower you Vincent Lowe to appeare for me at the Suite of Baker Brooke Esqꝫ and to confesse judgment for the Summe of twenty thousand pounds of tobacco with defeazance to pay tenn thousand pounds of tobacco by the last day of January next and for your so doeing this shall be your Sufficit warrant as wittnes my hand this two & twentith day of November An^{o} Dom̄ 1675.

To Vincent Lowe Esqꝫ Willm: Hemsley.
Attorny Gen^{ll}.
Testes
Ro: Carvile
Matt Warde.

Stephen Tully
ag^{t}
John Quigley

Memorandum that this Court to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c Came Stephen Tully by Kenelm Cheseldyn his Attorny and exhibiteth his certaine bill against John Quigley One of the Attornyes of this Court of a plea that he render unto him the summe of foure thousand pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the said Stephen by Kenelm Cheseldyn his Attorny Saith that whereas the said John Quigley the fifth day of October One thousand Six hundred Seventy foure did by his certaine writeing Obligatory Sealed with the seale of the said John here in Court produced whose date is the same day & yeare abovewritten did bind himselfe to pay or cause to be well and truly paid unto M^{r} Stephen Tully of Talbott County in the aforesaid Province Gent his heirs execut^{rs} administrators or lawfull Attorny the just & full quantity of foure thousand pounds of good Sound merchantable tobacco in caske due to be paid upon all demands either in Wye or Chester River it being for a valuable consideration in hand received before the ensealeing thereof to the true performance thereof he did bind himselfe his heirs executors administrators firmly by those presents Notwithstanding which the said John Quigley the said summe of foure thousand pounds of tobacco unto him the said Stephen though often thereunto required hath not paid but the same to pay hitherto hath & Still doth altogether deny to the damage of him the said Stephen Six thousand pounds of tobacco and thereupon he bringeth his action

And the said John by Robert Carvile his Attorny cometh & defends the force & injury when &c & prayeth liberty of Speakeing hereun[to] untill the next Provinciall Court & it is granted him the same day is given to both parties here.

p. 623 Afterwards to witt the foure & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Came the said John Quigley in his proper person and saith that he saith nothing in barr or avoidance of the plaintiffs action as to two thousand seven hundred sixty eight pounds of tobacco part of the said summe of foure thousand pounds of tobacco in the declaration mentioned but saith that he is willing that the plaintiff recover against him the said summe of two thousand seven hundred Sixty eight pounds of tobacco with costs of Suite therefore it is considered by the Court here that the said Stephen Tully recover against the said John Quigley the said Summe of two thousand Seven hundred Sixty eight pounds of tobacco as also the summe of five hundred pounds of tobacco costs of Suite.

George Beckwith agt Thomas Mountfort } Thomas Mountfort late of Talbott County otherwise called Thomas Mountfort of the County of Calvert Gent was Summoned to answer unto George Beckwith of a plea that he render unto him the summe of Eight hundred & forty pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the said George by Robert Carvile his Attorny Saith that whereas the said Thomas Mountfort the eight & twentith day of April in the yeare of Our Lord One thousand six hundred seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said Thomas and here in Court produced whose date is the same day & yeare abovewritten did acknowledge to be holden and firmly bounden unto the said George Beckwith of the same County the full and just Summe of Eight hundred & forty pounds of good & every way well conditioned leafe tobacco and casque for a valuable consideracōn by him in hand received to which payment well & truly to be made at some convenient place in Petuxent River he did bind himselfe his heirs executrs & admrs firmly by those prsents Notwithstanding which the said Thomas the said summe of Eight hundred & forty pounds of tobacco unto him the said George though often thereunto required hath not paid but the same to pay hitherto hath & Still doth altogether deny to the damage of him the said George Sixteen hundred pounds of tobacco & thereupon he bringeth his Suite.

And the said Thomas by Kenelm Cheseldyn his Attorny cometh

Liber M M & defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him the same day is given to both partyes here.

p. 624 Now here at this day to wit the foure & twentith day of Novembr in the 44th yeare of the Dominion of Caecilius &c Annoq Dom One thousand six hundred Seventy five came the said George by his Attorny aforesaid but the said Thomas came not but made default Therefore it is considered by the Court here that the said George recover against the said Thomas Mountfort aswell the said summe of eight hundred & forty pounds of tobacco the debt aforesaid as also the summe of Six hundred thirty five pounds of tobacco cost of Suite & the said Thomas in mercy.

Evan Carew agt Marke Cordea } Marke Cordea late of St Maries County was attached to answer unto Evan Carew in a plea of trespas upon the case.

And whereupon the said Evan by Robert Carvile his Attorny Saith that there being upon the first day of ffebruary in the yeare of our Lord One thousand six hundred & Seventy a communication had betweene the said Mark & the Said Evan touching his the said Evans being imployed & reteined by him the Said Mark as his Servant to Keepe his bookes receive his tobacco and doe Such otherworke for him the said Marke as the said Mark Should imploy him in He the said Mark in consideration that the said Evan would be reteined & hired as a Servant to him the said Marke to Keepe his bookes and accompts receive tobacco for him & doe Such other Service as the Said Mark should imploy him in did assume upon himselfe and to the said Evan did faithfully promise that he the said Mark would well & truly pay and Satisfie unto the Said Evan when he Should be thereunto required So much tobacco for his the said Evans wages over & above his necessary accomodations as he the said Evan Should reasonably deserve for So long time as he the said Evan Should continue in the Service or imployment of him the Said Marke And the Said Evan in fact Saith that he trusting to the faire promises and protestations of him the said Mark did upon the Said first day of ffebruary in the yeare aforesaid enter into the Service of him the said Mark and Kept his bookes and received for him severall great quantityes of tobaccoes and did such other worke for him the said Mark as he was required to doe and the said Evan did faithfully Serve him the said Marke in the service and imployment aforesaid from the said first day of ffebruary in the yeare aforesaid untill the Seven & twentith day of June in the yeare of Our Lord One thousand Six hundred Seventy three being in all eight & twenty monthes and that for such his service & paines he did & doth reasonably deserve after the rate of foure thousand pounds of tobacco ₱ annum over & above his necessary accomodation aforesaid which in the whole amounts to the summe of nine thousand three hundred thirty three pounds of tobacco Yet Notwithstanding the said Mark his promises and protestations aforesaid not regarding but deviseing & fraudulently intending him the said Evan in that behalfe craftily & Subtilly to defraud & deceive the said summe of nine thousand three hundred thirty three pounds of tobacco to him the said Evan according to his promise aforesaid though often thereunto required hath not hitherto rendred or paid but the same to pay doth deny and refuse to the damage of the Said Evan thirteen thousand pounds of tobacco & thereupon he bringeth his suite.

Liber M M

p. 625

And the Said Mark by Kenelm Cheseldyn his Attorny doth come & defend the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties here

At which said next Provinciall Court Came the said Evan by his Attorny aforesaid & the said Mark by his said Attorny came likewise and the said Marke Saith that he did not promise & assume upon himselfe in manner & forme as the said Evan Carew above in his declaration hath declared against him & of this he putts himselfe upon the Country and the plaintiff likewise therefore it is Comanded the Sheriff that he cause to come here twelve &c.

Now here at this day to witt the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq Dom̄ One thousand Six hundred Seventy five Came the said Evan by his Attorny & the said Mark by his Attorny and the jurors of that jury likewise came to wit John Gittings Wm Thomas Arthur Wright Peter Watts John Tant Richard Meekins Wm Hemsley Raymond Staplefort Jno Brookes Jno Hollins Henry Turner & Henry Exon who being impannelled & Summoned to say the truth in the premisses upon their Oathes doe say Wee find for the plaintiff five thousand pounds of tobacco for eight & twenty months service Therefore it is considered by the Court here that the said Evan recover against the said Mark the summe of five thousand pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of One thousand thirty nine pounds of tobacco costs of Suite.

Evan Carew
agt
Marke Cordea

Marke Cordea of St Maries County was attached to answer unto Evan Carew in a plea of trespas upon the case.

And whereupon the said Evan by Robert Carvile his Attorny Saith That the said Marke being upon the ninth day of March in the yeare of Our Lord One thousand Six hundred Seventy three justly indebted unto the said Evan for Severall goods sold him and tobacco paid for him & worke done for him from the tenth day of November One thousand six hundred & sev-

Liber M M enty till the said ninth day of March One thousand six hundred seventy three a particular whereof is hereunto annexed amounting in the whole to the summe of foure thousand five hundred eighty p. 626 three pounds of tobacco he the Said Marke did in consideration thereof assume upon himselfe & to the Said Evan did faithfully promise that he the said Marke the said Sum̃e of foure thousand five hundred eighty three pounds of tobacco to him the said Evan when he should be thereunto required well & truly would satisf[ie] and pay but the said Mark his Promise aforesaid not regarding the said Summe of foure thousand five hundred eighty three pounds of tobacco to him the said Evan though thereunto requested hath not paid or Satisfied but the same to pay doth deny & refuse to the damage of the said Evan Six thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said Mark by Kenelm Cheseldyn his Attorny cometh and defendeth the force & injury when &c and prayeth liberty to imparle here untill next Court & it is granted him the same day is given to both parties here.

Now here at this day to wit the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c came the said Evan by his Attorny aforesaid & the said Marke by his Attorny came likewise and the said Marke Saith that he did not promise and assume upon himselfe in manner & forme as the said Evan hath above declared against him and of this he putts himselfe upon the Country and the plaintiff likewise Therefore it is com̃anded the Sheriff that he cause to come here twelve &c.

At which said five & twentith day of November in the yeare aforesaid came the parties aforesaid & the jurors of that jury came likewise to wit John Gittings W^m^ Thomas Arthur Wright Peter Watts Jn^o^ Tant Richard Meekins W^m^ Hemsley Raymond Stapelfort John Brookes John Hollins Henry Turner & Henry Exon who being impannelled summoned & Sworne to Say the truth in the premisses upon their Oathes doe Say Wee find for the plaintiff due upon his accompt three thousand eight hundred eighty three pounds of tobacco and the bill to be delivered to the said Carew againe therefore it is considered by the Court here that the said Evan recover against the said Marke the summe of three thousand eight hundred eighty three pounds of tobacco for his damages occasioned by the trespas aforesaid as also the summe of One thousand seven[ty] One for his costs & charges in this behalfe laid Out & expended

To M^r^ Kenelm Cheseldyn one of the Attornyes of the Provinciall Court.

These are to desire you to appeare for me in two suites comenced against me by Evan Carew upon actions of the case & to plead to the same confess judgm^t^ or let judgm^t^ passe by dafault inhil dicit or as in your discretion you thinke best & convenient & for your so doeing this shall be your Sufficient warrant Wittness my hand the 7th day of August 1675 Mark Cordea. Liber M M

Testes Tho: Gant
Jno Darnall.

Garret Vansweringen agt George Marshall } George Marshall late of St Maries County planter was attached to answer Garret Vansweringen in a plea of trespas upon the case p. 627

And whereupon the said Garret by Kenelm Cheseldyn his Attorny complaineth that whereas the said George Marshall the first day of September in the yeare One thousand six hundred seventy three Stood indebted to him the said Garrett for divers liquors and other accomodations received at the house of him the said Garret as also for Severall Summes of tobacco at the request of him the said George paid unto Severall persons by him the said Garret on the behalfe of him the said George as also for One hundred & Seaven pounds of tobacco due upon ballance of a former accompt from him the said George to him the said Garret at divers dayes and times to wit from the said first day of September in the yeare aforesaid untill the eleventh day of December in the yeare One thousand six hundred Seventy foure a particular of all which is here in Court produced in the whole amounting to the summe of two thousand & forty pounds of tobacco In consideration whereof the said George did assume upon himselfe to the Said Garret did faithfully promise that he the said George when thereunto required the Said summe of two thousand & forty pounds of tobacco to him the said Garret would well & truly content & pay Notwithstanding which the said George the said Summe of two thousand & forty pounds of tobacco to him the said Garret according to his promise hath not paid though often thereunto required but the same to pay hitherto hath & Still doth altogether deny to the damage of the said Garret three thousand five hundred pounds of tobacco & thereupon he bringeth his suite.

And the said George by Robert Carvile his Attorny comes & defends the force & injury when &c & saith that he did not assume upon himselfe nor to the said Garret make such promise as the said Garret hath above declared against him and of this he putts himselfe upon the Country and the plaintiff likewise therefore it is comãnded the Sheriff that he cause to come here twelve &c But before the jurors came the said George in his proper person came & Saith nothing in barr or avoidance of the action aforesaid of him the said Garret whereupon the said Garret remaineth against him thereupon wholy undefended Therefore it is considered by the Court here to wit at St Maries the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq Dom̃ One thousand six hundred Seventy five that the said Garret recover against p. 628

Liber M M the said George the summe of two thousand & forty pounds of tobacco for his damages Susteined by occasion of the trespas aforesaid as also the Summe of five hundred twenty eight pounds of tobacco costs of Suite.

Tobias Wells execut^{r}
Mary Pine
ag^{t}
John Larkin

John Larkin late of Ann Arundell County otherwise called John Larkin of of the County of Ann Arundall in Province of Maryland was Sumoned to answer unto Tobias Wells executor of the last will & testament of Mary Pine late of Kent County deceased in a plea that he render unto him the summe of nine thousand One hundred & two pounds of tobacco which from him he unjustly deteineth.

And whereupon the said Tobias Wells by Robert Carvile his Attorny Saith that whereas the said John Larkin the eleventh day of November in the yeare One thousand six hundred seventy two by his certaine writeing Obligatory Sealed with the Seale of the Said John & here in Court produced whose date is the same day and yeare abovewritten did bind himselfe his heirs executors adm^{rs} or assignes to pay or cause to be paid unto Mary Pine upon Kent her heirs executors or adm^{rs} the full & just Summe of nine thousand One hundred & two pounds of good Sound merchantable tobacco & casque upon demand in the County aforesaid notwithstanding which the Said John the said summe of nine thousand One hundred & two pounds of tobacco unto her the said Mary in her life time nor unto him the said Tobias Wells executor of the last will & testament of the Said Mary Since the death of the said Mary though often thereunto required hath not paid but the same to pay hitherto hath & Still doth altogether deny to the damage of him the said Tobias eighteen thousand pounds of tobacco & thereupon he bringeth his Suite

And the said Tobias Wells bringeth here into Court the Letters Testamentary with the will of the said Mary thereunto annexed that it may appeare unto the Court that he is executor of the last will & Testament of the said Mary Pine deceased and that right of Administration &c.

And the said John by John Rousby his Attorny cometh and defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill next Court & it is granted him the same day is given to both parties here.

Att which said next Provinciall Court to wit the five and twentith
p. 629 day of November in the 44th yeare of the Dominion of Caecilius &c Came the said Tobias by his Attorny aforesaid and the said John by his Attorny came likewise and the said John Saith that as to foure thousand Six hundred fifty eight pounds of tobacco part of the said summe of nine thousand One hundred & two pounds of

tobacco he cannot gainsay but that he oweth the same to the said Tobias in such manner as is above declared against him Therefore it is considered by the Court here that the Said Tobias recover against the said John Larkin aswell the summe of foure thousand six hundred fifty eight pounds of tobacco the remainder of the debt aforesaid as also the summe of Six hundred pounds of tobacco costs of Suite. Liber M M

W^{m} Dare adm^{r}
Jn^{o} Parker
ag^{t}
Tobias Wells execut^{r}
Mary Pine

Tobias Wells late of Kent County execut^{r} of the last will & Testament of Mary Pyne deceased was Sumōned to answer unto W^{m} Dare Adm^{r} of the goods and Chattells of John Parker deceased of a plea that he render unto him the summe of forty thousand pounds of tobacco which from him he unjustly deteineth

And whereupon the said W^{m} Dare by Robert Carvile his Attorny Saith that whereas the Said Mary Pine & Tobias Wells together with One W^{m} Lawrence did upon the fiftenth day of July in the yeare of Our Lord One thousand Six hundred Seventy two by their certaine bond or writeing Obligatory Sealed with the Seales of them the said Mary Pyne Tobias Wells & W^{m} Lawrence confesse & acknowledge themselves to owe and Stand indebted unto the said John Parker in the full & just Summe or quantity of forty thousand pounds of good Sound & merchantable tobacco and casque to be paid conveniently in Kent or Talbott County at or upon the tenth day of October next ensueing the date of the said bond To the which payment well and truly to be made & done they did bind themselves their heirs executors & adm^{rs} joyntly & severally by those presents Yet notwithstanding the Said Mary in her life time or the said Tobias Wells or the said W^{m} Lawrence in the life time of the said Mary or Since her death the said summe of forty thousand pounds of tobacco to him the said John Parker in his life time or to the said W^{m} Dare Since his death or any Ᵽ^{t} thereof have not paid or Satisfied according to the tenor of the said bond though often thereunto required but the Same to pay have hitherto denyed and refused and Still doe deny and refuse to the damage of the said W^{m} Dare the summe of fifty thousand pounds of tobacco & thereupon he bringeth his Suite.

And the Said W^{m} bringeth here into Court his Letters of Administration whereby it may appeare to the Court here that he is Administrator &c.

And the said Tobias by Kenelm Cheseldyn his Attorny cometh and defendeth the force & injury when &c & prayeth the heareing of the said writeing Obligatory & it is read unto him he prayeth likewise the heareing of the Condition of the Said bond and it is read unto p. 630
him in these words. The Condition of this Obligation is Such that

Liber M M if the abovebound Mary Pine Tobias Wells or W^m^ Lawrence or either of them their heirs executors or adm^rs^ shall well & truly pay or cause to be paid unto the abovenamed John Parker his heirs execut^rs^ or adm^rs^ the like and just Summe of twenty thousand pounds of tobacco and caske at or upon the tenth day of October next ensueing the date hereof according to the tenor of the bond abovespecified. that then this Obligation to be void and of no effect or else to remaine in full force power Strenght & vertue. which being read & heard the Said Tobias prayes liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties.

At which said next Provinciall Court to wit the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoqȝ Dom̃ One thousand six hundred Seventy five came the said W^m^ Dare by his Attorny aforesaid and the Said Tobias Wells by Kenelm Cheseldyn his Attorny doth come & defend the force and injury when &c & Saith that the said William his action against him ought not to have for that he Saith he hath performed the condition of the Said writeing Obligatory and of this he putts himselfe upon the Country and the plaintiff likewise. Therefore it is Com̃anded the Sheriff that he cause to come here twelve &c. which Said jurors likewise came to witt Henry Tripp James Nuthall John Bigger Richard Bayly George Marshall Walter Hall David Holt Daniel Clocker W^m^ King Joseph Edloe Thomas Doxey & Ralph Blackhall who being impannelled sumoned Sworne to Say the truth in the premisses upon their Oathes doe say Wee jurors doe find for the plaintiff eight thousand six hundred and Sixteen pounds of tobacco Therefore it is considered by the Court here that the said W^m^ Dare recover against the estate of the Said Mary Pyne aswell the summe of eight thousand Six hundr[ed] and Sixteen pounds of tobacco the debt aforesaid as also the Summe of One thousand thirty nine pounds of tobacco costs of Suite.

Henry Tripp ag^t^ John Ingram } John Ingram late of Talbott County otherwise called John Ingram of Talbott County in the Province of Maryland Inholder was Sum̃oned to answer unto Henry Tripp in a plea that he render unto him the summe of thirty two thousand eight hundred & eighty pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the said John Ingram the twentith day of May in the yeare One thousand Six hundred Seventy-foure by his certaine writeing Obligatory Sealed with the seale of him the said John here in Court produced whose date is the Same day and yeare
p. 631 abovewritten did acknowledge himselfe holden and firmly bounden unto Henry Tripp of the County of Dorchester in the Province

of Maryland Gent in the just Summe of thirty two thousand eight Liber M M hundred & eighty pounds of good Sound merchantable leafe tobacco & caske to be paid at Some convenient place betweene the mouth of Broad Creeke and Bullingbrooke Creeke in Great Choptanck River upon demand being for a valuable consideration already in hand received to be paid to the said Henry Tripp or to his certaine Attorny his heirs execut^{rs} & adm^{rs} to the which payment well & truly to be made & done he the said John did bind himselfe his heirs executors adm^{rs} firmly by those p^{r}sents notwithstanding which the said John Ingram the said summe of thirty two thousand eight hundred & eighty pounds of tobacco according to the tenor of the Said writeing Obligatory hath not paid though often thereunto required but the same to pay hitherto hath and Still doth altogether deny to the damage of the Said Henry thirty Six thousand pounds of tobacco & thereupon he bringeth his Suite.

And the said John by Vincent Lowe his Attorny cometh and defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties here.

Att which said next Provinciall Court to wit the five and twentith day of November in the 44th yeare of the Dominion of Caecilius &c Came the said Henry by his Attorny aforesaid & Offered himselfe against the said John in the plea aforesaid but the said John came not but made default therefore it is considered by the Court here that the said Henry Tripp recover against the said John Ingram aswell the said Summe of thirty two thousand eight hundred & eighty pounds of tobacco the debt aforesaid as also the Summe of five hundred and foure pounds of tobacco costs of Suite & the Said John in mercy &c.

Henry Tripp
Peter Underwood
ag^{t}

Peter Underwood late of Talbott County otherwise called Peter Underwood of Great Choptanck River in the Province of Maryland planter was Sumōned to answer unto Henry Tripp in a plea that he render unto him the summe of Six thousand two hundred & fifty One pounds of tobacco which to him he oweth & unjustly deteineth

And whereupon the said Henry by Kenelm Cheseldyn his Attorny Saith that whereas the said Peter Underwood the foure & twentith day of ffebruary in the yeare One thousand Six hundred Seventy three did by his certaine writeing Obligatory Sealed with the seale p. 632 of the Said Peter here in Court produced whose date is the same day & yeare abovewritten bind himselfe his heirs executors administrators to pay or cause to be paid unto Henry Tripp of Little Choptanck River in the Province aforesaid his heirs executors adm^{rs} assignes or lawfull Attorny in the full and just Summe of Six

Liber M M thousand two hundred fifty & One pounds of good Sound merchantable tobacco and caske due to be paid upon demand upon the Plantation where John Boone now liveth or upon the Plantation where Peter Underwood dwelleth or did dwell it being for a valuable consideration in hand already received notwithstanding which the said Peter Underwood the said Summe of Six thousand two hundred fifty & One pounds of tobacco according to the tenor of his said writeing Obligatory to him the said Henry hath not paid though often thereunto required but the same to pay hitherto hath & Still doth altogether deny to the damages of the said Henry eight thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Peter by Vincent Lowe his Attorny cometh and defendeth the force & injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties.

Now here at this day to wit the five & twentith day of November in the 44th yeare of the Dominion of Caecilius &c Annoq̧ Dom̄ One thousand six hundred Seventy five came the said Henry by his Attorny aforesaid & offered himselfe against the said Peter but the Said Peter came not but made default. Therefore it is considered by the Court here that the said Henry recover against the said Peter aswell the summe of Six thousand two hundred fifty One pounds of tobacco the debt aforesaid as also the summe of five hundred and foure pounds of tobacco costs of Suite & the said Peter in mercy.

John Wilson agt Thomas Oliver } the plaintiff is by the ffavour of the Court admitted in forma pauperis.

Thomas Oliver late of St Maries County marriner was attached to answer unto John Wilson of a plea of trespas assault battery and false imprisonment.

And whereupon the said John by Kenelm Cheseldyn his Attorny complaineth that whereas the said John Wilson being an inhabitant of the Collony of Virginia and from Yorke River in the said Collony being on the thirtenth day of September One thousand Six hundred Seventy five bound in a Shallop for Accomack in the Bay in the County of St Maries the said Thomas Oliver being then on board and Master of a Shipp called the Warwell of London and p. 633 the said John Wilson in the Peace of God & the Lord Proprietary being On board his Shallop aforesaid the said Thomas upon him the said John in the said Shallop with swords Staves &c an assault did make & him the said John did take beate & evil entreate & him in prison did deteine from the thirtenth day of September in the yeare aforesaid On board the said Shipp Warwell of London untill the eighten[th] day of the same month and the said John further

Saith that the Said Shallap with her rigging of the value of three thousand pounds of tobacco One chest of goods of the Value of foure thousand pounds of tobacco & thirty pounds of Porke & two cheeses of the Value of One hundred pounds of tobacco the said Thomas with force & armes from him the said John did take & the same from him as yet doth deteine contrary to the Peace &c to the damage of the said John Wilson the summe of thirty thousand pounds of tobacco & thereupon he bringeth his Suite. Liber M M

And the said Thomas by Robert Carvile his Attorny cometh & defendeth the force & injury when &c & Saith that he is in no wayes guilty of the trespas of assault battery & false imprisonment in the declaration above complained off and of this he putts himselfe upon the Country and the plaintiff likewise Therefore it is com̃anded the Sheriff that he cause to come here twelve &c.

Now here at this day to wit the ninetenth day of November in the 44th yeare of the Dominion of Caecilius &c came the said John Wilson by his Attorny aforesaid & the said Thomas Oliver by his Attorny & the jurors of that jury likewise came to wit Richard Loyd Richard Ambrose James Ringold John Evans Edward Roe John Allen Joshua Doyne Richard Whitty Thomas Carvile Gerard Slye John Hollins & Vincent Atcheson who being impannelled Sumoned & sworne to say the truth in the premisses upon their Oathes doe Say The jury findes no cause of action. And for that the Court here will advise before they passe judgment the said John Wilson is committed into the custody of the Sheriff untill the morrow On which said morrow to wit the the twentith day of November in the yeare aforesaid it is considered by the Court here that the said Thomas Oliver recover against the estate of the said John Wilson the summe of two thousand three hundred seventy five pounds of tobacco & the said John in mercy &c

Charles Calvert Esq
agt
John Wells

John Wells late of Kent County otherwise called John Wells of Kent County in the Province of Maryland planter was Sumōned to answer the Honble Charles Calvert Esq in a plea that he render unto him foure thousand pounds of tobacco which to him he oweth and unjustly deteineth.

And whereupon the Honble Charles Calvert by Vincent Lowe his his Attorny Saith That whereas the said John On the eightenth day of ffebruary Anno Dom̃ One thousand six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said John and here in Court produced whose date is the day & yeare abovewritten did bind himselfe his heirs executors admrs & assignes to pay unto the Honble Charles Calvert his heirs executors or certaine Attorny the just & neate quantity of foure thousand pounds of good Sound merchantable tobacco & casque upon demand p. 634

Liber M M in some convenient place in Kent or Ann Arundell County Yet notwithstanding the aforesaid quantity of four thousand pounds of tobacco the aforesaid John hath not paid according to the tenor of his Said bill though often thereunto required but doth altogether deny & refuse to pay the same whereupon the Hon^ble^ the Said Charles Saith he is dampnified to the value of five pounds of tobacco & thereupon he bringeth his suite.

And the Said John Wells by Kenelm Cheseldyn his Attorny cometh & defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the Same day is given to both parties.

Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c came the said Charles Calvert Esq by his Attorny aforesaid & offered himselfe against the Said John Wells in the plea aforesaid and the said John Wells in his proper person came likewise and the Said John Saith nothing in barre or avoidance of the action aforesaid of him the said Charles for that he oweth unto the said Charles the said summe of foure thousand pounds of tobacco in manner & forme as is above declared against him Therefore it is considered by the Court here that the said Charles recover against the said John Wells aswell the summe of foure thousand pounds of tobacco the debt aforesaid as also the summe of pounds of tobacco costs of Suite.

Charles Calvert Esq ag^t^ John Wells	John Wells late of Kent County otherwise called John Wells of Kent County in the Province of Maryland planer was Sumoned to answer the Hon^ble^ Charles Calvert Esq in a plea that he render unto him eight thousand pounds of tobacco which to him he oweth & unjustly deteineth.

And whereupon the Said Hon^ble^ Charles Calvert by Vincent Lowe his Attorny complaineth & Saith that whereas the said John On the eightenth day of ffebruary Anno Dom One thousand six hundred Seventy three by his certaine writeing Obligatory Sealed with the Seale of him the said John & here in Court produced whose date is the day and yeare abovewritten did bind himselfe his heirs executors adm^rs^ or assignes to pay unto the Hon^ble^ Charles Calvert his heirs execut^rs^ adm^rs^ or certaine Attorny the just & neat quantity of eight thousand pounds of good sound merchantable tobacco & caske in p. 635 some convenient place in Kent or Ann Arundell County upon the tenth day of October next ensueing the date thereof Yet notwithstanding the aforesaid quantity of eight thousand pounds of tobacco the aforesaid John hath not paid according to the tenor of his Said bill but doth deny and refuse to pay the same though often thereunto required whereupon the Hon^ble^ the said Charles Saith he is dampnified & hath losse to the value of ten thousand pounds of tobacco & thereupon he bringeth his suite. Liber M M

And the Said John Wells by Kenelm Cheseldyn his Attorny cometh and defendeth the force and injury when &c and prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties.

Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Came the said Charles Calvert Esqr by his Attorny aforesaid & Offered himselfe against the said John Wells in the plea aforesaid & the said John Wells in his proper person came likewise & Saith that he saith nothing in barr or avoidance of the action aforesaid of him the said Charles Calvert for that he oweth unto the said Charles the said Summe of eight thousand pounds of tobacco in manner & forme as the said Charles hath above declared against him Therefore it is considered by the Court here that the said Charles recover against the Said John the said Summe of eight thousand pounds of tobacco the debt aforesaid as also the summe of pounds of tobacco costs of Suite.

Evan Carew agt Robert Proctor — Robert Proctor late of Ann Arundell County Inholder was attached to answer unto Evan Carew of a plea of trespas upon the case.

And the Said Evan by Robert Carvile his Attorny Saith that whereas the Said Robert Proctor upon the last day of June One thousand Six hundred Seventy three did Keepe an Ordinary at the head of South River in the said County and the said Robert being at that time destitute of a Servant to Keepe his bookes and accompts and asist him the said Robert in the Keeping and lookeing after the said Ordinary and attending the Guests resorting thither a certaine Communication was had between the said Robert & Evan touching the said Roberts hireing and reteineing him the said Evan to be his the said Roberts Bookekeeper and to doe all such things as to the imployment of a Bookekeeper was necessary & convenient He the said Robert did in consideration that the said Evan Carew would be his the said Roberts Bookekeeper aforesd and looke to his bookes and accompts & asest him in the Keeping the said Ordinary & attending his quests assume upon himselfe & to the Said Evan faithfully promise that he the said Robert would find & provid for the Said Evan Sufficient meate drinke lodging & other necessary accomodations for and dureing all the tyme & terme he Should Stay & continue in the said imployment and would also satisf[ie] and pay unto the Said Evan for every month he Should Stay & continue in that imployment of Bookekeeper the Summe of three hundred thirty nine pounds of tobacco when thereunto he should be required And the Said Evan in fact Saith that he giveing Creditt to the promises p. 636

Liber M M aforesaid did accept of the said imployment of Bookekeeper and did upon the said last day of June aforesaid enter into the Service of him the said Robert and Kept his books and accompts & attended his Guests and that he did continue in the Said imployment & Service from the Said last day of June aforesaid till the Sixth day of ffebruary in the yeare of Our Lord One thousand Six hundred seventy three being in all seaven months and odd dayes which at the rate of three hundred thirtynine pounds of tobacco p month amounts in the whole to the summe of two thousand three hundred seventy three pounds of tobacco Yet not withstanding the said Robert his promise and assumption aforesaid little regarding but deviseing & fraudulently intending him the said Evan in that behalfe craftily and Subtilly to deceive & defraud the said summe of two thousand three hundred Seventy three pounds of tobacco to him the said Evan hath not paid or satisfied though often thereunto requested but the same to pay hath hitherto denyed & Still doth deny to the damage of the said Evan five thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Robert by Thomas Bland his Attorny cometh & defendeth the force & injury when &c & prayeth liberty to imparle here untill next Provinciall Court & it is granted unto him the same day is given to both parties.

Att which said next Provinciall Court to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius Came the said Evan by his Attorny aforesaid and the said Robert by his Attorny likewise came & the said Robert Saith he did not assume & promise in manner & forme as in the plaintiffs declaracōn is sett forth & thereupon he putts himselfe upon the Country & the plaintiff likewise Therefore it is Comanded the Sheriff that he cause to come here twelve &c. but before the jurors came the parties abovesaid did by consent of their Attornyes putt themselves to the judgment of the Court. Whereupon it is considered by the Court here that the said Evan recover against the said Robert Proctor the summe of two thousand pounds of tobacco damages for the trespas aforesaid & also the summe of eight hundred ninty five pounds of tobacco costs of Suite.

p. 637 Roger Baker
agt
Garret Vansweringen

Garret Vansweringen late of St Maries County Inholder otherwise called Garret Vansweringen of St Maries County. Gent was sumoned to answer unto Roger Baker of a plea that he render unto him the full & just summe & quantity of Six thousand Six hundred pounds of good Sound merchantable tobacco in caske which to him he oweth & unjustly deteineth

And whereupon the said Roger by Robert Ridgely his Attorny

Saith that whereas the Said Garret the fifth day of October in the yeare of Our Lord One thousand Six hundred Seventy two by his certaine writeing Obligatory Sealed with the Seale of him the said Garret & here in Court produced whose date is the day and yeare aforesaid did acknowledge himselfe to be holden and firmly indebted to the said Roger in the full & just Summe or quantity of Six thousand Six hundred pounds of good Sound merchantable tobacco & casque to be paid unto the said Roger Baker or to his certaine Attorny his heirs executors adm^{rs} or assignes at some convenient place in Calvert County upon the tenth day of October next ensueing the date of the said writeing Obligatory To the which payment well and truly to be made the said Garret did bind himselfe his heirs executors & adm^{rs} firmly by those p^{r}sents Yet the aforesaid Garret the aforesaid Six thousand Six hundred pounds of tobacco to him the said Roger according to the tenor of the same writeing Obligatory hath not paid though often demanded but the same to pay hath denyed & as yet doth deny to the damage of the said Roger tenn thousand pounds of tobacco & thereunto he bringeth his suite. Liber M M

And the said Garret by Kenelm Cheseldyn his Attorny cometh and defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill the next Provinciall Court & it is granted him the same day is given to both parties.

Now here at this day to wit the twentith day of November in the 44th yeare of the Dominion of Caecilius &c Came the said Roger by his Attorny aforesaid & the said Garret by Kenelm Cheseldyn his Attorny came likewise and the said Garret Saith that as to three thousand eight hundred thirty eight pounds of tobacco part of the said Six thousand six hundred pounds of tobacco he cannot gainsay for that he oweth the same to the said Roger Therefore it is considered by the Court here that the said Roger recover against the said Garret the said Summe of three thousand eight hundred thirty eight pounds of tobacco the debt aforesaid as also the summe of five hundred thirty Six pounds of tobacco costs of Suite.

George Beckwith
ag^{t}
Thomas Lomax &
Jn^{o} Lewellin

Thomas Lomax and John Llewellin late of S^{t} Maries County otherwise called Thomas Lomax of S^{t} Maries County Gent and John Lewellin of the Same County were Sumõned to answer unto George Beckwith in a plea that they render unto him the summe of eighteen hundred pounds of tobacco which to him they owe & unjustly deteine. p. 638

And whereupon the said George Beckwith by Robert Carvile his Attorny Saith that whereas they the Said Thomas & John the 14th day of April in the three & fortith yeare of the Dominion of Caecilius &c Annoqȝ Dom̃ One thousand Six hundred Seventy foure by the[ir]

Liber M M certaine writeing Obligatory Sealed with the Seales of them the said Thomas and John here in Court produced whose date is the day & yeare abovewritten did acknowledge themselves holden & firmly indebted unto George Beckwith of Patuxent in the County of Calvert in the aforesaid Province Gent in the full & just quantity of eighteen hundred pounds of good Sound large bright & every way well conditioned tobacco & caske to be paid to the said George Beckwith or to his certain[e] Attorny or Attornyes execut^rs^ adm^rs^ or assignes upon all demand To which payment well & truly to be made & done they bound themselves and every of them their & every of their heirs executors & administrat^rs^ Severally and joyntly for the whole & in the whole firmly by those presents notwithstanding which the said Thomas and John the said summe of eighteen hundred pounds of tobacco to him the said George though often thereunto required hath not paid but the same to pay hitherto have and Still doe altogether deny to the damage of him the said George three thousand pounds of tobacco & thereupon he bringeth his suite.

And the said Thomas by Kenelm Cheseldyn his Attorny cometh and defendeth the force & injury when &c & prayeth liberty of Speakeing hereunto untill the next Provinciall Court and it is granted him the Same day is given to both parties.

Now here at this day to wit the foure & twentith day of November in the 44th yeare of the Dominion of Çaecilius &c came the said George by his Attorny aforesaid & the said Thomas by his Attorny likewise came & the Said Thomas Saith that as to nine hundred pounds of tobacco part of the said eighteen hundred pounds of tobacco he cannot gainsay for that he oweth the same to the said George in manner & forme as is above declared Therefore it is considered by the Court here that the said George Beckwith recover against the said Thomas Lomax the said Summe of nine hundred pounds of tobacco the debt aforesaid as also the summe of Six hundred thirty five pounds of tobacco for his costs & charges in this behalfe laid Out & expended & the said Thomas Lomax in mercy.

November 23th 1675.

p. 639 Came Kenelm Cheseldyn One of the Attornyes of this Court and moves the Court here that he hath Severall bills to file against John Quigley One of the Attornyes here which may be comprized in One so that the said John Quigley take no advantage thereby whereupon it is Ordered that no advantage thereupon be taken by the said John Quigley.

November 24th 1675

Then was Peter Eure of S^t^ Maries County Gent admitted & sworne one of the Attornyes of this Court.

John Quigley agt Marke Cordea } the defts Attorny moves the Court here the foure & twentith of November in the yeare aforesaid that George Charlsworth one of his materiall evidences in this case being crazey and probably may not be liveing to give evidence at the tryall it is granted by consent of the plaintiff that his deposition be taken in writeing and shall be evidence at the tryall of this cause.

Benja Cowell agt Rich: Tilghman } Whereas Benjamin Cowell the Sixtenth day of April in the 40th yeare of the Dominion of Caecilius &c obtained judgment against Richard Tilghman of Talbott County for twenty thousand pounds of tobacco Now here at this day to witt the two & twentith day of November Anno Dom̃ 1675 Came Kenelm Cheseldyn Attorny for the plaintiff and acknowledged Satisfaction upon the said judgmt.

Richard Speed agt Edward Erbery & Compa } Memorandum that heretofore to wit the ninth day of ffebruary in the 43th yeare of the Dominion of Caecilius &c the Sheriff of Charles County maketh returne. By virtue of a writt of attachment beareing date the 14th of December 1674 I have attached Severall quantityes of tobacco in the hands of Severall persons amounting in the whole to the summe of fifteene thousand One hundred twenty two pounds of tobacco. Whereupon it is granted by the Court here that Scire facias issue to the Said Sheriff that he make Knowne to the Severall persons in whose hands the said tobacco remaineth that they be & appeare here to show cause if any they have why execution for the Same should not issue.

Nouber the 16th 1675

Upon the petition of John Miles that he hath made a Cropp of tobacco at Wm Kings & for the debt of the said King execution is Levyed upon all his tobacco. The Said King acknowledged in Open Court that the Petitioner is to have a third part of the Cropp.

APPENDIX

as y^{e} plf . . . And the County . . . Co^{ll} Nath: Vtye de . . . Liber P.C.R.
M^{r} Edward Lloyd . . . M^{r} Baker Broo[ke] . . . M^{r} Thomas p. 315
Gerar[d] . . . Cap^{t} Will^{m} Stone. . . . Govern^{r} th . . . D^{r} Luke Barber . . . in his verdict . . . The judgm^{t} of y^{e} . . . S^{t} Maries County . . . letter thereof. Th . . . Ordered therefore . . . Whereuppon y^{e} dec^{d}[?] . . . warr^{t} to y^{e} She[riff] . . . Sheriffe

y^{e} Court doth . . . bee Arbitrat^{rs} in this . . . [a]gree not those p. 316
two Arbitrato^{rs} are to . . . Order that they putt a finall deter . . . [som]etime before the fiveteenth day of Nov . . . parties to stand to their Arbitraōn.

Bennett arrested or Summoned Thomas . . .of y^{e} Councell of this Province to this . . . Thomas Bennett not appearing eyther . . . according to summons. And . . . rt. M^{r} Gerard thereuppon craves a . . . demands ffive hund^{d} pownds of Tob . . . w^{ch} was allso graunted & allowed by

To the hon^{ble} the Gouerno^{r} & Councell &c: p. 317
The humble Pet^{n} of Thomas Mathews Attorney of M^{r} Rich Couell of London. Sheweth

That whereas there was an Agrem^{t} betweene M^{r} Couell & M^{r} Batten for y^{e} ualue of One hund^{d} & six pownds, Seauen shillings & eleuen pence sterl̄. w^{ch} y^{e} s^{d} M^{r} Batten was to make present paym^{t} for in Tob att 2^{d} per pownd. All w^{ch} wth a Case of drams att 200^{l} the whole summe comes to 12967^{l} of Tob in Cask. And hee only payd of it 9492^{l}. And the Agreem^{t} was That if y^{e} s^{d} M^{r} Batten should not make paym^{t} of all y^{e} Tob, w^{ch} y^{e} s^{d} summe should amount to, That then hee should returne soe much of the goods back againe in kind, as should pay for y^{e} Tob, that should bee behind. Now soe it is that there is behind 3475^{l} of Tob not payd, nor any other Consideracōn gyuen. Neyther in deed had M^{r} Batten att y^{t} time any more Tob, y^{t} was good to pay. Whereuppon M^{r} Batten causeth M^{r} Couell to bee arrested in an accōn of y^{e} Case about a man seru^{t}, sold some yeares formerly by M^{r} Couell to M^{r} Batten. w^{ch} was nothing consistant to this Agreem^{t} or summe of Tob. But only y^{t} M^{r} Batten was pleased to make this an occasion for to bee a stop, y^{t} hee might not make paym^{t} of any more Tob att present. And the ship being ready to goe, the yeare being late, & his Seamen growing Sick, could not stay to answere M^{r} Battens suite, but appoynted mee his Attorney to answere in his behalfe. W^{ch} I did. And according to M^{r} Battens request, w^{ch} was only for security concerning that man serv^{t} formerly sold. I gaue him such security as hee

Liber P. C. R. accepted on. And then I demanded y^{e} debt w^{ch} was 3475^{t}, w^{ch} was behind unpayd. And hee hauing not then Tob to pay mee, but tould mee hereafter hee would pay mee. And I fearing least hee should stay mee soe long, y^{t} hee might claime y^{e} benefitt of y^{e} Act, I caused M^{r} Gwyther to arrest him, for to hold up the debt. Whereuppon M^{r} Batten getts an Attatchm^{t} & attatches 3000^{t} Tob in his owne hands. A fine way to pay Debts. Soe yo^{r} Pet^{r} humbly desyres, y^{t} yo^{u} will bee pleased to consider y^{t} this Tob should haue bene payd y^{t} yeare, w^{ch} M^{r} Couell went home. Soe y^{t} wee haue beene outed of Our Tob this two yeares. And y^{t} there is a man seru^{t} w^{ch} is in part of this 3475^{t} . . . M^{r} Batten two Crops, &, wee haue receaued noe . . . for him as yett.

p. 318 Soe humbly I . . . y^{e} premises into . . . consideraōn . . . dammage, Costs of Suite & Consideraōn, & consideraōn for the two yeares seruice of y^{e} seru^{t}.

& yo^{r} Pet^{r} shall pray. &c:

M^{r} Battens Attorney being called, & not appearing att this Court: & M^{r} Couells Attorney being absent likewise, as he sheweth by his letter. Ordered this Cause bee Respited till next Prouinciall Court.

To the hon^{ble} the Leuiten^{t} of Maryland

I Nicholas Gwyther Shereife of &c: In Complyance & Obedience to a writt directed to mee dated y^{e} 3^{d} of May 1659. & Signed by y^{e} Leiut^{t} of this Prouince, haue Warned Twelfe men as I am commanded in y^{e} s^{d} writt. who being Conueaned att Nangemy uppon y^{e} Land of Cap^{t} Lewis Deceased. An ueiwing y^{e} s^{d} Land, & other Commodities thereof, Doe apprayse y^{s} same att One hund^{d} fforty & ffiue pownds of Tob yearely. W^{ch} s^{d} Land att that rate extended, will in Ninety nine yeares make up y^{e} summe of fourteene Thowsand three hund^{d} fifty & fiue pownds of Tob. Wittnes my hand & Seale, & y^{e} hands & Seales of all the rest, who are Appraysers thereof. the 7th of May 1659.

Nicholas Gwyther Sheriffe
Thomas Lomax.
Robert Robins.
John Webb.
Richard Granger.
Edmond + Lindsey
Alexander A Simsons
Robert X Troope
John X Cane.
Thomas T Baker
Daniel Ⓐ Gowodon
John Ʒ Williams
John ⊸ Neuill.

Signed & Sealed by all Seuerally.

Whereas att a Prouinciall Court held for this Province on y^e^ 6^th^ day of Octob^r^ 1658. It was then Ordered That y^e^ Land belonging to Cap^t^ Will^m^ Lewis Deceased att Nangemy in Patowmeck Riuer should be extended, soe far forth, as to pay y^e^ Cred^rs^ to y^t^ Estate. And y^t^ y^e^ Cred^rs^ bee y^e^ Appraysers of y^e^ s^d^ Land. as by y^e^ s^d^ Order of Court doth appeare. And whereas likewise att a Court held y^e^ 10^th^ day of March last The Cred^rs^ to y^t^ Estate Petitioned that Court that y^e^ s^d^ land may be fortw^th^ extended, & apprased, to satisfy their respectiue . . . Prescott merch^t^ haue y^e^ refusall of y^e^ sayd Land . . . Whereupon It was then Ordered, according . . . bee apprased. And writt of Extent gyuen to y^e^ sheriffe according to y^e^ s^d^ Order. And is now returned by him att this Court. Liber P.C.R.

Att y^e^ reading of w^ch^ Returne of y^e^ Sheriffe, some one of y^e^ Cred^rs^ to that Estate, informe y^e^ Board (being present in Court) That y^e^ Land was apprased att to low a vale. Wherefore the Court thought fitt (to satisfy all what might bee alleaged) to declare, & sell y^e^ same att an Outcry. p. 319

Whereuppon Proclamaōn was made by the Sheriffe, Shewing how y^t^ y^e^ Land belonging to Cap^t^ Will^m^ Lewis att Nangemy Deceased, was extended & apprased att 14355^℔^ Tob. for 99 yeares. And if any One will giue more for y^e^ s^d^ Land, then what It is allready apprased att Lett him now appeare, & declare soe much to y^e^ Board.

And noe one appearing.

It is Ordered uppon y^e^ Pet^n^ of y^e^ Cred^rs^ That Edward Prescott merch^t^ enioy y^e^ s^d^ Land, according to y^e^ Extent Returned by y^e^ Sheriffe for Ninety Nine yeares. Hee putting in Security to y^e^ Court for y^e^ paym^t^ of ffourteene thowsand three hund^d^ fifty fiue pownds of Tob. To bee proportionably allowed amongst y^e^ Cred^rs^ by y^e^ Secretary according to the Claymes allready Exhibited & allowed. And it is further Ordered that M^r^ Secretary in y^e^ behalfe of y^e^ L^d^ Proprietary & y^e^ Cred^rs^ for y^e^ Consideraōn afore mentioned, Demise & Graunt unto ye s^d^ Edward Prescott his heyres & assignes All y^e^ s^d^ Land, according to y^e^ Certificate thereof Returned into y^e^ Office. To haue & to hold to him his heyres & Assignes, for Ninety Nine yeares, by y^e^ Rent reserued according to Condicōn of Plantaōn to y^e^ Lord Proprietary only. W^th^ warranty agst any former Graunt, Extent, Mortgage, or any claime of Dower Joynture, tytle of Dower, or any other claime or incumbrance whatsoeu^r^, w^ch^ any manner of person now hath or att any time hereafter during y^e^ s^d^ tearme of Ninety Nine yeares may haue or pretend to haue unto y^e^ s^d^ Land, or any part thereof. And that y^e^ s^d^ Leafe soe graunted shall bee as firme & authentick to all intents & purposes in Law (for y^e^ s^d^ tearme of Ninety nine yeares) as any other Graunt w^ch^ is made to any person w^th^in this Prouince. And lastly It is Ordered, That M^r^ Secretarys Order to y^e^ s^d^ Edward Prescott for y^e^ paym^t^ of y^e^ Tob togeather w^th^ Receipts indorsed uppon y^e^ s^d^ Order by y^e^ Seuerall Cred^rs^ shall bee his sufficient discharge for y^e^ same.

Liber P. C. R. Uppon motion made in Court. whither Mr George Goodrick Adm̄istrator to Capt Willm Lewis Estate, shall haue his whole Claime of ffiue thowsand pownds of Tob payd him, according to [o]rder of Court 6th Octob. 1658. or to bee allowed Proportionally amon . . . [C]redrs.

And it being alleaged yt . . . (if not all) of that Clayme was for ffees, & dyett expendd . . . & other Courts of this Province

p. 320 To the honble the Gouenor & Councell.

The humble Petn of John Norwood Sheweth.

That whereas there are seuerall summes of Tob due unto yor Petr for the apprehending & imprisoning of Certaine persons called Quakers, besides the great paynes & trouble wch yor Petr hath undergone, & ye great losse & hinderance wch hee hath susteyned in his owne private occasions for wch as yett hee hath receaued noe satisfaction

> May it please therefore yor honrs to take ye premises into yor serious Consideraõns, that there may bee a way propounded wherby yor Petr may haue some releife & satisfaction according as yor honrs shall thinke fitt And yor Petr as in dutie bound shall pray &c:

Ordered that this Petn be referred to Grall Assembly.

Uppon motion of his Lps Receiuer Generall. for an Attatchmt ag̃st the Estate of Capt Miles Cooke, who denyed to pay or satisfy the accustomed duties according to Act of Assembly.

> Ordered yt hee haue Attatchmt for three thowsand pownds of Tob according to ye Act. & allso for Eleuen pownds, thirteene shillings foure pence sterl.

Whereas Capt Sampson Wavring & James Veitch tooke out Attatchmt ag̃st ye Estate of Capt Willm Mitchell deceased. Returneable this Court And ye Court being ready to breake up, & wth ye consent of ye pl̃fs. It is Ordered that ye Attatchmt bee continued: & ye Cause Respited till the next Prouvinciall Court.

Court dissolued by ye Gouernor

And appoynted ye next Provinciall Court to bee held att New Towne on St Maries County one ye last Tuesday in ye month of ffebruary following. (Viz) 28th of ffeb.

p. 321 Octobr 9th Exequũon issued to ye Sheriffe of Kent County att ye instances of Thomas Ringhould ag̃st ye Estate of Joseph Wicks ffor Charges being Costs of Suite in yt accõn. fol. 237. / To ye Clk̃ . . . 170

exqn writt 023.

Liber P.C.R. Nouembr 19th

Richard Grymes demands warrt ags̄t Arthure wright in an accōn of Debt.

Wart to ye Sheriffe of St Maries or Charles County or eyther of them to arrest &c: Ret next Prou: Court to bee held att New-Towne in St Maries County 28th ffebruary next.

Anne Hamond on behalfe of her husband John Hammond demands wart ags̄t Mrs Anne Tilney Exequutrix to Richard Hotchkeys deceased.

Wart to ye Sheriffe of St Maries County to arrest &c: Ret next Provinciall Court 28th ffeb. next ut suprà.

To all men to whome these presents shall come. I Philip Land of St Maries, in ye Prouince of Maryland send greeting in Our Lord God Euerlasting. Know yee yt whereas there was a Plantaōn belonging to the Estate of John Wheatlie sould to me ye sd Philip Land by the Executors of ye sd John Wheatlie, for ye summe of fifteene hundred weight of Tob. ffor ye true paymt whereof I ye sd Philip Land did bind ouer One seruant named Anthony Crowder as Security. And whereas ye sd Tob is yett unpayd for wch ye sd Anthony Crowder stood bownd as aforesd. And whereas Mr Richard Willan one of ye Executors of ye sd John Wheatlie hath declared himselfe willing to take the sayd Land againe for ye use of ye Orphans of ye sd Wheatlie, & to discharge me ye sd Philip from ye sd fiueteene hundd pownds of Tob. in case I would bind ouer the sd Anthony Crowder as security for ye paymt of Seauen hundd pownds of Tob to ye Executors aforesd. Wch sd seauen hundd pownds of Tob I ye sd Philip receaued for ye Rent of ye aforesd Plantaōn during ye time it was in ye posesn of me ye sd Philip. Now Know yee yt I ye sd Philip Land doe hereby assigne back all my Right & tytle to ye sd Plantaōn aforesd, unto ye Executors of ye sd Wheatlie, & doe allso by these presents firmely bind ouer ye sd Anthony Crowder as security for ye true paymt of ye sd Seauen hundd pownds of Tob. soe receaued as aforesd. In wittnes whereof I ye sd Philip Land haue hereunto sett my hand ye Sixteenth day of Nouembr 1659

Signed in ye presence of
Peter Bath
Henry Heylyn.

The marke of
Philip Land.

Writt of Scire facias issued ags̄t John Pott for 400 ℔ Tob. due to Basill Little. Mr John Harrise of . . . mercht being ye sd Littles admīstrator or Attorney. And . . . of Mr Henry Coursey hee being Attorney to ye sd Jo[hn] . . . Ret next Prou: Court & . . . Decembr 2d

Richard Wright demands warrt ags̄t Richard Lee, accōn debt p. 322

Wart to ye Sheriffe of Caluert County to arrest, &c: Ret next Prouinciall Court 28th ffeb. next

Liber P.C.R. John Reade demands warrt ag̃st George Reade in an accõn Trespasse.

Wart to ye Sheriffe of Caluert County to arrest &c: Ret next Prouvinciall Court 28th ffeb. next ut supra.

Summons to Idem Sheriffe pro John Bogue & Peter Joy, to testify in ditt. 500l Tob. each &c: P p̄lf.

Summons to id. Sheriffe Mr Hen: Coursey. P G. Reade.

Writt of Exeqn issued to ye Sheriffe of Caluert County ag̃st the Estate of John Cornelius, att ye request of Aäron Jacobson for 600l Tob. prout folio 123. To the Clk̄—47l.

Writt of Exeqn issued to ye Sheriffe of Caluert County ag̃st the Estate of Michäel Bayley, att ye request of Josias ffendall Esq for 1200l Tob. according to Order prout fol. 206. To ye Clk̄—71l.

Writt of Scire facias issued to ye Sheriffe of Caluert County ag̃st Philip Harwood for 717l Tob. wth forbearance for one yeare & Costs of Suite, att ye demand of Willm Barrett. (Mr Michaël Brookes being ye sd Barretts Attorney) Ret. next Prouinciall Court att Newtowne 28 ffeb. ut suprà.

Walter Pakes demands warrt ag̃st Capt Sampson Waring in an accõn of Case of 600l Tob.

Wart to ye Sheriffe of St Maries County to arrest &c: Ret next Prouinciall Court att New Towne 28 ffeb. ut suprà.

Decembr 3d Thomas Manning demands wart ag̃st Michaël Brookes in an accõn of Debt of 400l Tob. wth 9 yeares forbearance.

Wart to ye Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court att New Towne 28 ffeb. ut suprà.

Writt of Exeqn issued to ye Sheriffe of St Maries County ag̃st ye Estate of Willm Boreman att ye request of John "Chareman ffor Costs of Suite, & Clerks & Sheriffs ffees, wch ye sd Boreman denyeth to satisfy, as ye sd Chereman allegeth. according to an order of Court had 6th Octobr 1658th. prout fol. 113.

Viz To the Clerke 271
To the Sheriffe . . . . 185.
. . . James } 300
. . . endance }
756

p. 323 Know all men by these presents yt I Willm Marshall doe assigne ouer all my Right & tytle of an Order of Court obteyned by ye afsd

Marshall against Emperour Smith; Wch Order I doe assigne ouer unto James Veitch, wth Court Charges. Wittnes my hand this 29th of Aprill 1658. Liber P.C.R.

Wm ℞ Marshall
his marke.

Test
Geo: Newman.

On ye other side it followeth.

Know all men by these prnts yt I James Veitch doe acknowledge to haue receaued full satisfaction of Emperor Smith of this Order of Court. Wittnes my hand this 21th of January 1618.

Test. Ja Conaway. James Veitch.

Know all men by these prnts that I John Hussey of Harby in ye County of Lincolne Clarke am held firmely bownd to Thomas Hussey mercht, Sonne of ye sd John in Two hundd pownds of lawfull money of England. To bee payd to ye sd Thomas, or to his Certaine Attorney, his Executors or Adm̄istrators. To ye wch paymt well & truly to bee made I bind mee my heyrer, Executors and Adm̄istrators firmely by these presents. Sealed wth my Seale, dated the Eight day of Septembr in ye yeare of Our Lord God, according to ye computaōn used in England, One Thowsand Six hundd fifty & Six.

The Condition of this Obligaōn is such. That if the heyres, Executors Adm̄istrators or Assignes of ye abouesd John Hussey, shall well & truly pay or cause to bee payd unto ye aboue named Thomas Hussey, his Executors Adm̄istrators or Assignes the Summe of One hundd pownds of lawfull money of England wthin three months next after the Death of ye sd John Hussey, if hee ye sd Thomas Hussey, or any Child, or Children of his Body lawfully to be begotten shall bee then liuing. Then this present Obligaōn to bee uoyd: or else to remaine in force and virtue.

Signed, sealed & deliuered
in the presence of us
Thomas Sturges
George Done } his seruants.
Wm Reade }

Signed John Hussey
Locus ꝏ Sigilli.

This is a True Copp[y] . . .
me, & desyred to be . . .
hee intending to . . .
& as such . . .

Robert Lloyd demands warrt ags̄t Daniel Hutt in an accōn Case. p. 324
Wart to ye Sheriffe of Charles County to arrest &c: Ret next Prouinciall Court, att Newtowne 28th of feb. ut suprà.

Samuel Parker aged 25 yeares or thereabouts Sworne & examined att ye request of John Butteris sayeth, That hee was att work att

Liber P.C.R. Capt Willm Lewis his howse, where hee saw John Butteris sett up a Tob. howse, wch howse hee deposeth was built by ye sd John from ye grownd. But what Timber he made use of wch formerly belonged to a Sixty foote howse standing about three or fowre hundd paces, from ye place, where hee sett up this hee Knoweth not. & further sayth not.

Sworne before mee. Samuel Packer.
ye 15th of Octobr 1659
Josias ffendall.

Decemb 7th
St Maries
County

Wednesday 7th of Decembr 1659

Command Henry Ellery & Elizabeth his Wife to hold plea to Willm Watts in an accōn of Couent of a Parcell of Land of One hundd Acres adioyning to his Lps mannor of West St Maries on ye West Side of St Georges Riuer. Being ye halfe of Two hundd Acres mentioned in a Patent graunted to Philip West bearing date ye 3d of August 1640, & Signed by Leonard Caluert Esqȝ Gouernor of this Prouince under ye Right honble ye Ld Proprietary thereof. Which Pattent is since come to bee ye Right of ye sd Henry Ellery by marrying the sd Elizabeth, the Relict of Willm Stephenson deceased.

Philip Caluert.

And ye finall Concord betweene ye forenamed parties is, That ye sd hund Acres (wth all ye edifices thereon) Beginning & Lying on ye Sowth East side of a Runne called ye dividing Runne, & soe running nortwest with Crany Creeke be conueyed to him the sd Willm Watt (who marryed one of ye Daughters of ye sd Willm Stephenson & Elizabeth aforesd) & ye same to enioy to him his Heyres & assignes for euer.

Att a Prouinciall Court holden att ye Resurrection mannor in Caluert County this 12th of Decembr 1659.

. . . ffendall Esqȝ Gouernor
Philip Caluert Esqr Secry
Mr Baker Brooke
Councellrs

. . . Order passed this Court on ye 7th of Octobr last . . . as Cornewaleys plt, & ye Estate of Capt William . . . by it is Ordered yt a Certaine Attatchmt uppon . . . ell, the sd Thomas Cornewaleys p. 325 sayd, should bee referred to ye County Court for ye County of St Maries. There uppon proofe of ye sd Debt to receiue Judgmt. And whereas ye sd Court for want of power in the Attorney then appearing, haue not Ordered any thing in ye sd busines. Vppon sight of a Bill signed by ye sd Mitchell for Eight hundd & sixty pownds of Tob, dated ye 15th of August 1658. & underwritten more due uppon ye abouesd fifty pownds of Tob & Cask. And againe more due since the Bill by Thomas Tunnell, Two yards of Spanish Cloath Three hundd & Eight pownds. & subscribed Willm Mitchell.

The Court doe Judge That ye Tob attatched in ye hands of John

Bateman merch^{t} (as in y^{e} foresd Order) be deliuered to y^{e} sd Cap^{t} Liber P.C.R. Thomas Cornewaleys in part of Satisfaction for y^{e} Seuerall Summes of Tob. soe due as aforesd.

Know all men by these p^{r}nts, That it is Conditioned, concluded, & accorded Between Humphrey Howell of y^{e} one party, & Nicholas White of y^{e} other party. Whereas there was a Stock of Cattle left by Will^{m} Olyuer now deceased. It is by consent of both parties equally diuided by M^{r} Mee, & John Nicholls made choyce of as Vmpires. The Cattle being in number seauen Cowes & Three yeareling heifers. Whereof there is by this Agreem^{t} belonging unto y^{e} s^{d} Humphrey Howell ffower Cowes named Old Dazie, Mopus, Browne Dazie, young Browning for y^{e} one party. Likewise belonging unto y^{e} s^{d} Nicholas White Three Cowes & Two yearelings. His part of Cowes being named Old Cherry, young Cherry, Black Dazie. The Third heifer belonging to both parties, The Rights thereof being gyuen to Ellinor White, the Child of y^{e} s^{d} Nicholas White. All the Cattle being nominated, & of one proper marke Being all Cropt of y^{e} left eare, & Two Notches under y^{e} Right eare. In wittnes whereof I Nicholas White doe by these p^{r}nts acquitt & disclayme all my Right, Tytle or interest of y^{e} s^{d} Cattle aboue nominated, being ffower Cowes belonging to his share as aboue mentioned, being y^{e} s^{d} Humphrey Howells his & for his heyres for euer. In Wittnes whereof I haue hereunto sett my hand & Seale this 26th day of January A^{o} 1658.

Sealed subscribed & deliuered
in the presence of
George G M Mee
his marke
John ⊢⊣ Nicholls
his marke

Nicholas Whyte

Locus ✕ Sigilli.

Know all men by these presents, that I Will^{m} Allen of London p. 326 merch^{t} haue assigned, ordained & made: & in my steed & place by these p^{r}nts putt & constituted my Sonne in Law Gilbert Metcalfe of London Merch^{t} my true & lawfull Deputy & Attorney. ffor mee & in my name & to my use & behoofe to Aske, demand, leuy, sue for, recouer & recieue of all & euery person or persons whatsoeuer inhabiting or residing in any part of Virginia & Maryland in parts beyound y^{e} Seas or eyther of them (except the Inhabitants adiacent to or nere James Riuer) all such summe & sum̃es of money, debts, duties claymes & demands whatsoeuer as they or any of them doe owe & are indebted unto mee by Bond, Bill, Specialty, accompt, contract, or agreem^{t} or otherwise howsoeu^{r}. Gyuing & by these p^{r}nts granting unto my s^{d} Attorney full & lawfull interest & authority to & in y^{e} p^{r}mises the s^{d} p^{r}sons to mee indebted or any of them their Executo^{rs} Adm̃istrators & goods for default delay or refusall of

Liber P.C.R. paymt of ye sd moneys, debts, duties, claimes & demands by them respectively to me owing, to sue, pursue, arreast, attach, implead, imprison & condemme untill satisfaction shall be giuen. And to receaue compownd & agree & uppon Receipt, composition or agreemt for me & in my name to acquitt, release & discharge: One Attorney or more under him to substitute & ye same att his pleasure to reuoke And generally to doe, Execute & prforme all & whatsoeuer further or other Act or Acts thing or things shall bee meete & requisite, to bee done in or about ye prmises, in as large ample & effectuall manner & forme to all intents & purposes as my selfe might or could doe, if I were then & there present, & did ye same personally. Ratifying & by these prnts confirming all & whatsoeuer my sd Attorney shall lawfully doe, or cause to be done for & concerning the Recouery & Receipt of the prmises by virtue of these prnts. In wittnes whereof I ye sd Willm Allen haue hereunto sett my hand & Seale. dated ye 7th day of July in the yeare of or Lord God, according to ye accompt used in England 1659

Sealed & deliuerd after ye interlyning of ye words (adiacent to or neare) & ye blotting out ye words betweene Inhabitants & mee in ye Eight line. & the blotting out ye words betweene Riuer & all such, in ye ninth line. in ye prsence of

Willm Allen
Locus + Sigilli.

John Alfor[d?]
Willm Braxton
John Bargeman
Row: Pla . . .
Will. Mim . . .
Robert . . .
} his seruants

p. 327 Know all men by these prnts that I Gilbert Metcalfe of London marcht & now resident in Piankatanke Riuer in Virginia haue by uertue of a letter of Attorney & power gyuen me therein, by Mr Willm Allen of London mercht bearing date ye 7th day of July 1659, assigned ordained & made, & in my place & Steede by these prnts putt & constituted my seruant Richard Young my true & lawfull Attorney and depūty, to aske, demand, leuy, sue for, recover & receiue of all & euery person & persons whatsoeur inhabiting or residing in any part of Virginia or Maryland, or eyther of them, to ye sole use & behoofe of Mr Willm Allen of London Mercht, all such summe & sum̄es of money Tob, Bills, debts, duties claimes & demands as they or any of them doe owe & are indebted unto ys sd Mr Willm Allen by bond, bill, specialty, accompt, contract or agreemt or otherwise howsoeur. Gyuing and by these prnts granting unto my sd Attorney full & lawfull interest & authority to & in ye prmises, the sd persons indebted to ye sd Mr Willm Allen or any of them their Executors Adm̄istrators & goods for default, delay or refusall of paymt of ye sd sum̃e or sum̃es of money, debts, duties claimes & demands by them respectiuely to me owing (that is to say to Mr Willm Allen owing) to sue, pursue, arreast, attatch, impleade, imprison & condemne, untill satisfaction shall be giuen. And to receaue compownd, & agree; & uppon receipt, composition, or agreemt, for & in the behalfe of Mr Willm Allen to acquitt, release & discharge, & generally to doe execute & prforme all & whatsoeuer further or other Act or Acts thing or things shall bee meete & requisite to be done in and about ye prmises in as large, ample, & effectuall manner & forme to all intents & purposes, as if Mr Willm Allen or my selfe might or could doe if hee or I were there & then prnt, & did ye same prsonally. Ratifying & by these prnts confirming all & whatsoeur my sd Attorney shall lawfully doe or cause to be done for & concerning the Receipt of ye premises by uertue of these prnts. In wittnes whereof I ye sd Gilbert Metcalfe haue hereunto sett my hand & Seale. dated the Twenty ffowrth day of Nouembr in ye yeare of Our Lord God, according to ye accompt used in England 1659. Liber P.C.R.

Sealed & Deliuered in ye prnce of
Edw: Wyatt — Gilbert Metcalfe
Edm: Berkeley
John Lewling — Locus ✠ Sigilli.

Edward Prescott demands warrt ags̄t John Walton in an accōn of Case. to ye valew of 6000l Tob. p. 328 January 10th
Wart to ye Sheriffe of Charles County to arrest &c: Ret Prou: Court att Newtowne 28th of ffeb. next. ut suprà.

John Shirtcliffe demands wart ags̄t John Walton. Accōn Case.
Wart to ye Sheriffe of Charles County to arreast &c: Ret next Prou: Court 28th ffeb. ut suprà.

Jacob Lumbrozo demands wart ags̄t Rich: Smith. accōn defamāon.
Warrt to ye Sheriffe of Caluert County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Jacob Lumbrozo demands warrt ags̄t Richard Smith, in an accōn of assault & Battery.
Wart to ye Sheriffe of Caluert County to arrest &c: Ret. next Prou. Court att Newtowne 28 ffeb.

William Whitle demands warrt ags̄t Capt John Horne accōn Case.
Wart to ye Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court 28 feb. ut suprà.

Liber P.C.R. January 16th Luke Barber Esqr demands wart agst Mr Henry Coursey in an accōn supr Case

War^t to y^e Sheriffe of Caluert County to arrest &c: Ret. next Prouinciall Court 28 feb. ut suprà.

Summons issued eod die to Mr Robt Clearke & Mr Henry Coursey according to Order last Prouinciall Court, to testify inter John Batemā merch ptf & Robt Patrickson deft. &c:

January 17th Thomas Seamour demands wart agst Michaël Bayley. accōn slaunder

Wart to ye Sheriffe of Caluert County to arrest &c: Ret next Prou: Court 28° ffeb. ut suprà.

January 19th Writt of Exeqn issued to ye Sheriffe of Caluert County agst ye Body of Robt Harwood for 1350l Tob. according to order of Court 25th ffebruary last. & Costs of suite prout fol. 180.

Costs are To ye Clerke 70l Tob.
To ye Sheriffe 15

January 20th Thomas Man . . . [d]emands warrt agst Thomas Cole, Adm̄istrator of ye Estate . . . Simkin Deceased. Accōn supr Case.

p. 329 wart to ye Sheriffe of Anarundell County to arrest &c: Ret Prouinciall Court to bee holden att New Towne 28 ffeb. next

John Billingsley (pr Attornat̄ Thomas Manning) demands wart agst Joseph Wicke. in an accōn of Debt of 1200l Tob. wth forbearance, or 6 yeares interest.

Wart to ye Sheriffe of Kent County to arrest &c: Ret next Prou: Court 28th ffeb. ut suprà.

Nicholas Morris (pr Attornat̄ Symon Ouerzee) demands wart agst Gregory Murrell in an accōn of Case, to ye ualew of 5000l Tob.

Wart to ye Sheriffe of Kent County to arrest &c: Ret next Prouin: Court 28th ffeb. ut suprà.

Capt Thomas Harwood demands wart agst Henry Woolchurch accōn debt.

Wart to ye Sheriffe of Anarundell County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

January 23th Capt Samuel Tilghman demands out of ye Estate of Thomas Belcher deceased 2500l Tob. & Cask. And enters his Caueat agst ye Executor or Adm̄istrator of ye sd Estate for that summe.

Liber P.C.R. Charles County

Nouembr 1. 1659.

Command John Jarbò, & Mary his Wife to hold plea to John Neuell in an accōn of Couent & bargaine of Three hundred Acres of Land, Lying att Portoback in Charles County, on the North side of Thomas Bakers Land.

Willm Euans.

And ye finall Concord betweene ye sd parties is, yt ye foresd Three hundd Acres, Lying att Portoback, hee ye sd John Neuell shall quietly & peaceably enioy to him & his heyres for euer.

George & ffrancis Beckwith acknowledged a final recovery of this Land in open Court Wm Bretton.

To all to whom these prnts shall come. Wee George Beckwith of Caluert County in the Province of Maryland Plantr & ffrancis his Wife ye late Daughter of Nicholas Haruey of ye Prouince aforesd deceased send Greeting. Know yee yt wee ye sd George & ffrancis Beckwith for a ualuable consideracōn to us allready payd haue gyuen, graunted, bargained, sold, assigned, & sett ouer. And by these prnts doe for us & eyther [of u]s our or eyther of Our heyres, fully, freely, & absolutely . . . bargaine sell [assigne & sett] ouer unto Emperour Smith, and Abdolo Martin, of ye County & Prouince aboues d, all our right, title, interest, claime & demand whatsoeur of in & to one parcell of Land, scituate, lying & being on ye South side of Patuxt Riuer by ye back Creeke, being surueyed & layd out for One hundd sixty fiue Acres more or lesse. To haue & to hold ye sd Land wth all Timber trees, & all other rights members priuiledges, & appurtenances whatsoeur thereunto belonging unto ye sd Emperor Smith & Abdolo Martin, their & eyther of their heyres for euer. With warranty ags̄t us ye sd George and ffrancis Beckwith our, & eyther of Our heyres, or any other persons yt shall or may by from, or under us, or eyther of us or any other way whatsoeur claime any right, tytle, or interest thereunto. In wittnes whereof Wee haue hereunto sett our hands, & affixed our Seales this 8th of ffebruary Anō Dm̄ 1658. p. 330

Signed, Sealed, & Deliuered
in the prnce of us
Henry Heylin.
James Barhem.

George Beckwith
se + ale.
The marke of
ffrancis X Beckwith
Se + ale.

Capt Sampson Waring dds̄ wart ags̄t John Waghop, accōn Trespasse to ye valew of 1000l Tob.

Wart to ye Sheriffe of St Maries County to arrest &c: Ret. next Prouinciall Court 28th ffeb. ut suprà.

Summons to Id. Sheriffe to warne Robert Kedger & James Veitch to testify in ditt. sub. pen. 500l pd Waring.

Liber P.C.R. Summons item to Id. Sheriffe to warne Robert Cornish, George Mackall, & Will^{m} Watts to testify in ditt. sub pœn 500^{t} Tob. p Waghop.

Richard Banks dds̄ war^{t} ags̄t M^{r} Sym̄on Ouerzee. Accōn Case.
War^{t} to y^{e} Sheriffe of S^{t} Maries County to arrest &c: Ret. next Prouinciall Court 28th ffeb. ut suprà.

Summons to sd Sheriffe to warne Randall Hanson & Hanah Llowell to testify in ditt. sub. pen. 500^{t}. Tob each.

Martin Kirk dds̄ warr^{t} ags̄t John Hill. accōn Case.
War^{t} to y^{e} Sheriffe S^{t} Maries County to arrest &c: Ret. next Pr . . . nciall Court 28th ffeb. ut suprà.

p. 331 Emperour Smith dds̄ war^{t} ags̄t Vincent Attchison. Accōn Debt to y^{e} valew of 700^{t} Tob.
war^{t} to y^{e} Sheriffe of S^{t} maries County to arrest &c: Ret. next Prou: Court 28th ffeb.

William Lawrence dds̄ war^{t} agst Symon Ouerzee Accōn Case.
war^{t} to y^{e} Sheriffe of S^{t} Maries County to arrest &c: Ret next Prouinciall Court 28th ffeb. ut suprà.

George Wade (p^{r} Attornat Henry Meese) dds̄ warr^{t} ags̄t Zachary Wade, & Anne Smith Executo^{rs} of John Wade Chyrurgeon deceased.
war^{t} to y^{e} Sheriffe of S^{t} maries County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Joseph Edmonds dds̄ war^{t} ags̄t M^{rs} Anne Tilney Execut^{x} of Richard Hotchkeys deceased. Accōn Case.
War^{t} to y^{e} Sheriffe of S^{t} maries County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Thomas Turner dds̄ war^{t} ags̄t Thomas Stone Execut^{r} of Cap^{t} Will^{m} Stone deceased to answere his Complaint in Chancery.
War^{t} to Sheriffe Charles County &c: Ret. ut suprà
Summon to Sheriffe to warne James Langworth to testify in ditt sub. pœn. 500^{t} Tob. Ret. ut suprà.

John Collins dds̄ war^{t} ags̄t Elizabeth Potter.
war^{t} to Sheriffe S^{t} Maries County to arrest &c: Ret. next Prou: Court 28th ffeb.
Summons to Id. Sheriffe to warne Marks Pheypo & James Owsey to testify in ditt. 500^{t} Tob. pd Eliz Potter.

Capt Thomas Cornewaleys (pr Attornat John Abington) dds̄ wart ags̄t John Shirtcliffe. accōn Debt 1500l Tob. Liber P.C.R.
Wart to ye Sheriffe St Maries County to arrest &c: Ret. next Prouinciall Court 28th ffeb. ut suprà.

Anne Tillney (Executx of Rich: Hotchkeys deceased) dds̄ wart ags̄t John Shirtcliffe accōn de[bt]
Wart to Sheriffe St [Mari]es County to arrest &c: Ret. next Prou: Court . . .

Daniel Clocker dds̄ wart ags̄t Symon Ouerzee accōn Case. p. 332
wart to ye Sheriffe St Maries County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Capt Thomas Cornewaleys (pr Attornat̄ John Abington) dd̄s wart ags̄t Henry Spink accōn Debt of 350l Tob.
wart to ye Sheriffe St Maries County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Marke Pheypo dds̄ wart ags̄t Willm Smoote. accōn Case.
Wart to Sheriffe Charles County to arrest &c: Ret. next Prouin: Court 28th ffeb. ut suprà.

Coll Natheniele Vtye dds̄ wart ags̄t James Mackfeild. accon debt.
Wart to Sheriffe Anarundel County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Peter Yeates (pr Attornat Thomas Pawlett) dds̄ wart ags̄t Sarah Marsh ye Relict & Adm̄istrx of Thomas Marsh deceased accōn debt 10000l Tob.
Wart to Sheriffe Anarundell County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Mr John Bateman mercht dds̄ wart ags̄t Richard Lee. accōn debt.
Wart to Sheriffe Caluert County to arrest &c: Ret. next Prou: Court 28th ffeb. ut suprà.

Thomas Seamour dds̄ wart ags̄t Michaël Baysey accōn Trespasse.
Wart to Sheriffe Caluert County to arrest &c: Ret. next Prouinciall Court 28th ffeb. ut suprà.

Alexander Anderson dds̄ wart to Richard Sallock.

Whereas Alexander Anderson hath Complayned to mee yt Capt Richard Sallock now Mate of ye ship Concord had hyred a Sloope of ye sd Anderson about March last for a Certaine quantity of sugar for a weeks time. Att ye end of wch time ye sd Anderson demanded his sd Sloope, but was delayed by ye sd Sallock & ye sd Sloope longer

Liber P.C.R. deteyned & in ye end sent home much damnifyed. And whereas there
was some Tob . . . sd Sullocks by ye sd Anderson in Virginia at-
tatched Whereuppon Orde[r] . . . eeded from ye Court of Nansa-
p. 333 mond to veiw the dammage of ye sd Andersons Sloope by ye sd
Sullocks deteinemt & ill usage sustayned. & the sd Sullock being into
this Prouince out of ye reach of ye sd Court escaped.

These are therefore &c: to arrest &c: & him in safe Custody Keepe, till hee shall by himselfe or Attorney (of whom you are to take sufficient security to satisfy & abide ye Judgmt of yor Court) answere ye suite of ye sd Alexander &c: Gy:&c: 14 Jan.

To ye Sheriffe of Anarundel & Philip Caluert
Caluert County their Depty or Deptys
or eyther of them.

ffebruary 4th Whereas I am gyuen to understand that Richard Sullock. mate of ye Concord of Bristoll, & Peter Satchfeild a Seaman belonging to ye John of London, Capt Robt Morris Commander doe lurke on board ye sd Ship called ye Concord of Bristoll, thereby Keeping themselues from being arrested, the one att ye suite of Alex: Anderson the other att ye suite of his Commander Capt Robt Morris.

These are therefore to command in ye Ld Proprs name. That neither the Master of ye sd Ship called ye Concord of Bristoll, nor any other doe attempt to carry ye sd Rich: Sullock, & Peter Satchfeild, or eyther of them out of this Prouince, before they haue gyen security to answere ye sd respectiue suites of Alex: Anderson & Robt Morris, or otherwise made them satisfaction. as they will answere ye contrary att their peace. Gyuen under my hand this 4th day of ffeb. 1659. Philip Caluert.

Augustine Herman dds̄ Attatchmt ags̄t ye Estate of Maior John Billingsley for 5000l Tob.

Writt Attatchmt to ye Sheriffe of Caluert County &c: Ret next Prou: Court ut suprà.

Capt Miles Cooke dd̄s wart ags̄t Rich: ffoster accōn Debt. 2400l Tob. wart to Sheriffe St Maries County, or John Hart to arrest &c:

Ret. next Prou: Court 28th ffeb. ut suprà.

Capt Miles Cooke dds̄ wart ags̄t Philip Caluert Esqr. Accōn Case.

Summons to answere. &c:

Capt Miles Cooke dds̄ wart ags̄t Humphrey Attwicke. accōn Debt.

Wart to Sheriffe Char[les] County to arrest &c: Ret next . . .

p. 334 Edward Prescott mercht dds̄ wart ags̄t John Pille, Daniel Johnson, Edward Philpott, Willm Craford, Willm Hall, John Webb, George

Thompson, Henry Lilly, Arthure Turner, Walter Gwest, George Short, & Adam Christian accōns Case. Liber P.C.R.

Wart sigd by Gour to ye Sheriffe of Charles County to arrest &c: Ret next Pro: Court 28th ffeb. att Mr Gerards.

Willm Bretton (Adm̄istrator of Beniamin Gill deceased) dd̄s wart agst Edmond Lindsey accōn Debt 2000^{l} Tob.

Wart to Sheriffe Charles County to arrest &c: Ret next Prou: Court holden 28th ffeb. ut suprà.

Willm Bretton (Admis̄trator of Beniamin Gill deceased) dd̄s wart ags̄t James Lindsey accōn Debt & Case 10000^{l} Tob.

Wart to Sheriffe Charles County to arrest &c: Ret next Prou: Court 28th ffeb. ut suprà.

Edmond Lindsey dds̄ wart ags̄t Capt William Battin accōn Case 500^{l} Tob.

Wart to Sheriffe Charles County to arrest &c: Ret. next Prou: Court holden 28th ffeb. ut suprà.

Teage Corwin dds̄ wart ags̄t Willm Smoote & Thomas Mitchell accoñ Debt.

Wart to sheriffe of Charles County to arrest &c: Ret next Prou: Court held 28th ffeb. ut suprà.

Capt Samuel Tilghman dds̄ wart ags̄t John Chear mar accōn Debt. 480^{l} Tob.

Wart to Sheriffe Charles County to arrest &c: Ret. next Prou: Court holden 28th ffeb. ut suprà.

John Walton dds̄ wart ags̄t Edward Prescott mercht. accōn Case. 3000^{l} Tob.

Wart to Sheriffe Charles County to arrest &c: Ret next Prou: Court holden 28th ffeb. next ut supra.

Joseph Rock (pr Attornat̄ Richard Moore) dds̄ wart ags̄t Capt Willm Battin accōn Debt. of 40^{l} sterl̄.

Wart to Sheriffe Charles County to arrest &c: Ret next Prou: Court 28th ffeb. ut suprà.

Richard Smith dds̄ wart ags̄t Capt Willm Battin. accōn Case.

wart to Sheriffe Charles County &c: Ret. ut suprà.

Summons . . . Sheriffe to warne Robt Robins & George . . .

Randall Hanson dds̄ wart ags̄t Mrs Anne Broadhurst. accōn Debt. p. 335 ffebruary 14th

wart to sheriffe St maries County to arrest &c: Ret. next Prou: Court att New-Towne 28th ffeb. next.

Liber P.C.R. ffebruary 28th Thomas Ticknor (p^{r} Attornat̄ Cap^{t} Samuel Tilghman) dds̄ war^{t} aḡst Zachary Wade, Adm̄istrato^{r} of John Wade Chyrurgeon deceased, accōn Debt 100^{l} strl^{d}.

Summons to Sheriffe S^{t} maries County to answere &c:

Hugh Stanley dds̄ writt aḡst Cap^{t} Samuel Tilghman.

Summons to Cap^{t} Tilghman to answere y^{e} Bill of Compl^{t} of y^{e} s^{d} Stanley in Chancery this Court.

These are to impower James Langworth of S^{t} Maries Gent^{n} or any other person whom y^{e} s^{d} Longworth shall appoynt to marke an Oake, in y^{e} roome of y^{e} Ash, w^{ch} was mistaken for an Oake, being the Bownd Tree there to Land, surueyed for John Jarbo Gent^{n}. Prouided y^{e} Oake bee not aboue Twenty paces from y^{e} Ash allready marked.

Octob^{r} y^{e} 6th Año Dm̄ 1659 Josias ffendall

George & ffrancis Beckwith acknowledged a ffine & Resurvey of this Land in open Court W^{m} Bretton. Know all men by these p^{r}nts y^{t} Wee George Beckwith of Patux^{t} Riuer in y^{e} Prouince of Maryland Plant^{r} doth wth y^{e} consent of ffrancis his Wife, for a ualuable consideraōn of Tob. as by Bill will apeare. Doe bargaine, sell & make sale of one Certaine Neck of Land, lying & being in our Manno^{r} of S^{t} Josephs, on y^{e} Sowth side of Patux^{t} Riuer. Commonly called & Knowne by name of Backbeer neck. I say doe fully & absolutely make sale of this afors^{d} Neck of Land unto James Mulliken of y^{e} same Prouince Plant^{r} to him his heyres, Executo^{rs}, Adm̄istrato^{rs}, or Assignes for euer. To haue & to hold wth all appurtinances thereunto belonging. Being bounded on y^{e} East wth Patux^{t} Riuer. On y^{e} West wth a back Crecke. On the other side wth marked Trees, running out into y^{e} woods: ending wth a small Beech. On y^{e} other side beginning att a greate Swamp att a White Oake, & slanting ouer to another White Oake: soe running out wth marked Trees till it end att a Gume for an Outlett. With Warranty from us Our heyres Executo^{rs} Adm̄istrato^{rs} or Assignes aḡst all persons that may or shall claime any Right thereunto, by from or under us, or other wayes clayming tytle thereunto. Sauing only to bee holden of us & our heyres as of Our Manno^{r} of S^{t} Josephs only for paying y^{e} quantity of One Bushell of Corne, or else Tob to y^{e} ualew. In wittnes whereof Wee doe here intchangeably sett Our hands this first of August 1659.

Test . . . George Beckwith

p. 336 These p^{r}nts wittnes y^{t} I Will^{m} Bretton of Little Brittaine in y^{e} Prouince of Maryland gent^{n} for & in consideraōn of a marriage to bee p^{r}formed & celebrated betweene M^{rs} Temperance Jay on y^{e} one part & my selfe on y^{e} other. Haue assigned & made ouer, & doe hereby assigne & make ouer unto Cuthbert ffenwick of S^{t} Maries in Maryland gent^{n} & Thomas Mathewes of y^{e} same place Chyrurgeon

to y^{e} use of y^{e} s^{d} M^{rs} Temperance Jay for & during her naturall life Liber P.C.R. & for & in leiu of a Joynture & maintenance for her selfe, in case shee shall out liue mee: And towards & for a portion or portions for such Child or Children (if any) as it shall please god to giue betweene her & mee, all y^{e} p^{r}ticulars of howses, Lands, goods, cattle & chattells hereafter sett downe & expressed. (Viz) My now dwelling howse in Little Brittaine aforesd wth fowre hundred Acres of Land next thereunto adioyning. Also one Black-browne Cow (named Browning) cropd both eares. Also one reddish-browne Cow (named Chesnutt) slitt both eares. Allso one other reddish-browne Cow (named Cherry) & one Black Cow (named Collier) both of my owne proper marke. Allso one Red heifer, cropd y^{e} left eare, wth two slitts in y^{e} Crop & a hole in y^{e} right eare, & underkeeld. Allso one other yeareling blackish heifer of my owne marke. Allso Two Cow calues of this p^{r}nt yeare of my owne marke (the right eare being slitt att y^{e} deliuery) wth all the encrease, w^{ch} shall from y^{e} day of y^{e} date hereof arise, of y^{e} s^{d} Cattle Reseruing notwthstanding out of y^{e} s^{d} Cattle, unto my selfe, during my owne naturall life, the milke of y^{e} s^{d} Cattle, & y^{e} male encrease toward y^{e} charge of my howse Keeping. Also my owne best Bed wth all its furniture Allso y^{e} one halfe of all other my now howsehold goods (a p^{r}ticular of w^{ch} subscribed wth my owne hand, I haue att y^{e} ensealing hereof, together herewth deliuered to them y^{e} s^{d} Cuth: ffenwick & Tho: Mathewes for y^{e} use as afores^{d} And I doe further Couen^{t} to & wth y^{e} s^{d} Cuth: ffenwick & Tho: Mathews on y^{e} behalfe of M^{rs} Temperance Jay. That it shall bee lawfull to her, her assignes (att any time wthin one yeare after my decease,) to take & possesse themselues to her sole & proper use, of y^{e} one halfe of all the stock of hoggs, w^{ch} I shall dye seized of. They y^{e} s^{d} Cuth: ffenwick, and Tho: Mathews to stand seized of all y^{e} s^{d} p^{r}ticulars to y^{e} use aboues^{d}, & to none other. And if shee y^{e} s^{d} Temperance Jay shall chance to dye before mee, then they are to hold y^{e} same to raysing portions for such Children as god shall haue gyuen betweene her y^{e} s^{d} Temperance Jay, and mee And in case of noe Children remayning betweene her & mee, then they are to . . . mee, & my lawfull heyres, or mine, or their assignes. To all which wittnes my hand & Seale p. 337
this 10th day of July 1651.

Sealed & Deliuered in p^{r}nce of
Giles Brent
Margarett Brent
John Rookewood
The mark of
Clouis X maze.

Will^{m} Bretton.
Sea X le.

These p^{r}nts wittness y^{t} I Will^{m} Bretton of Little Brittaine Maryland gen^{t} haue agreed, couenanted, & graunted, & doe hereby agree

Liber P.C.R. couenant & graunt to & wth Cuthbert ffenwick of Maryland gentn & Thomas mathews of Maryland aforesd Chirurgeon in consideraōn of marriage to bee betweene mee & Mrs Temperance Jay & for her better maintenance after ye sd marriage performed & celebrated betweene us. That whereas shee ye sd Temperance Jay is possest of right to an Annuity of Twenty pownds per Annũ, out of certaine Lands in Virginia apperteyning, or wch haue apperteyned unto Capt George Eueling. That shee ye sd Temperance Jay shall from time to time during her Naturall life & according to her power before marriage wth mee, by her selfe or her assignes haue full power to receaue ye sd annuity, & all parts, parcells & arreares thereof, & to dispose of it, as shee shall like best. And that all receipts or acquittances gyuen by her or her assignes for ye same or any part of it, shall stand good in Law ags̄t mee, my heyres Executors, Adm̄istrators, or assignes. Wittnes my hand & Seale this 10th day of July 1651.

Willm Bretton.
Se X ale.

Sealed & deliuered in prnce of
Giles Brent
Marg: Brent
John Rookewood
The mark of
Clouis + maze.

To all to whom these presents shall come. Wee George Beckwith of ye Prouince of Maryland in ye County of Petuxt & ffrancis his Wife send greeting. Know yee yt Wee ye sd George & ffrancis Beckwth for a ualuable consideraōn to us in hand payd, haue gyuen, graunted, bargayned, sould, assigned, & sett ouer unto Richard Keene of ye Prouince and County aforesd Plantn & by these p . . . ents doe p. 338 for us, & eyther of us, our or eyther of Our heyres, fully, freely, & absolutely giue, graunt, bargaine sell, assigne, & sett ouer unto ye sd Richard Keene all our & eyther of our right my tytle, interest, claime, & demand whatsoeur, of, in, and to one Neck of Land commonly called ye Cabbin Creeke Necke: Lying & being in St Josephs mannor ouer ags̄t Poynt Patience on ye South side of Patuxt Riuer; Surueyed & layd out for fowrescore Acres more or lesse To haue & to hould ye sd neck of Land wth all ye Timber, Trees, & all other appurtenances whatsoeuer thereunto belonging. With all our and eyther of Our rights, tytle & interest thereunto unto ye sd Richard Keene his heyres or Assignes for euer. With Warranty ags̄t us the sd George Beckwth & ffrancis Beckwith & our heyres, & all persons Clayming, or yt shall or may claime any right, tytle, interest, by from or under us, or eyther of us, or any other way whatsoeuer. In wittnes whereof wee haue hereunto sett our hands & Seales this 27th day of Aprill 1658.

The words (for a ualuable Consideraōn to us in hand payd) were interlyned wth ye mutuall consent of ye abouenamed George & ffrancis Beckwith Liber P.C.R.

Signed Sealed & deliuered in
the presence of us
Thomas Turner.
Philip Hide
Empror Smith
James Barhem.

Geo: Beckwith
The marke of
ffrancis X Beckwith.
Sea X le.
Sea X le.

George & ffrancis Beckwith declared this to bee their deed in open Court, & acknowledged a fine & Recouery Touching this Land.

Willm Bretton.

To all to whom these presents shall come, Wee George Beckwith of ye Prouince of Maryland Plantr & ffrancis his Wife, ye late daughter of Nicholas Haruey of ye sayd Prouince send Greeting. Know yee yt Wee ye sd George Beckwith & ffrancis Beckwith, for a ualuable Consideraōn to us in hand payd haue gyuen, graunted, bargayned, sould assigned, & sett ouer: & by these prnts doe for us, & eyther of us, our, & eyther of Our heyres, fully, freely & absolutely giue, graunt, bargayne sell assigne & sett ouer, unto Ishmaël Wright, William Stockden, and Guy White, of ye aforesd Prouince Planters all, our, & eyther of our right, tytle, interest, claime & demand. whatsoeuer, of, in, & to One Parcell of Land, be . . . Surueyed & Layd out for one hundred & Eighty Acres of Land more, or lesse. p. 339 together wth ye howse, & all other howses Edifices, buildings, Trees, Timber, & all other Rights members appurtenances whatsoeur thereunto belonging. Which sd Plantaōn is scituate lying & being betweene. ye Plantaōn of Abdolo Martin & Richard Keene, on ye South side of Patuxt Riuer, in St Josephs mannor, ouer agst Poynt Patience, Commonly called & Knowne by ye name of St Josephs Poynt. To haue & to hold unto ye sd Ishmaël Wright, Willm Stockden, & Gwy Whyte their heyres, & assignes for euer, ye sd Plantaōn, & all our, & eyther of our right, tytle & interest thereunto. With warranty agst us ye sd George & ffrancis Beckwith, our, and eyther of our heyres, & all persons clayming, or yt shall or may claime, any right tytle, or interest, by, from, or under us, or eyther of us, or any other persons whatsoeuer, any wayes clayming right thereunto. In wittnes whereof Wee haue hereunto sett Our hands and Seales this 7th of Decembr Anō Dm̄ 1658.

The words (for a ualuable Consideraōn to us in hand payd were written before signing & Deliuery

Signed, Sealed & Deliuered
in ye presence of
James Barham
Henry Heylin.

George Beckwith
Se + ale.
The marke of
ffrancis X Beckwith
Se X ale.

Liber P.C.R. This Indenture made the thirtieth day of Aprill 1655. Betweene James Walker of Wicocomoco & Christopher Carnall of Wicocomoco afores^{d} in y^{e} Prouince of Maryland Plant^{rs}. Wittnesseth That the sayd James Walker hath for a ualuable Consideraōn bargayned & sold, & by these p^{r}sents doth bargaine & sell unto y^{e} s^{d} Christopher Carnall One parcell of Land scituate, lying & being on y^{e} Prouince of Maryland. Bounded att a marked Oake att y^{e} side of a Runne, & soe uppon a streight line to y^{e} Land of Thomas Mitchell up y^{e} Hills to another marked Tree opposite to y^{e} first. Cont. by Estimāon Two hun^{d} Acres bee it more or lesse. To haue & to hold y^{e} s^{d} Parcell of Land wth all Benefitts & Commodities in as full & ample manner, as hee y^{e} s^{d} James Walker might or ought to haue do[ne] by Vertue p. 340 of his Patent, unto him the sayd Christopher Carnall his heyres & assignes from y^{e} date hereof for euer, yeilding & paying therefore yearely att y^{e} Natiuity of Our Lord & Sauiour ffowre shillings of good & current English money, or Two Bushells of good sownd Corne, att y^{e} now dwelling howse of y^{e} s^{d} James Walker, his heyres or assignes. And in Case hee shall, or his heyres or assignes make sale thereof, the first profer to bee made to y^{e} s^{d} James Walker. and his or his heyres refusall only to bee capable to sell y^{e} same. In Testimony whereof y^{e} parties aboues^{d} to these p^{r}nts interchangeably haue sett their hands y^{e} day & yeare first aboue written.

Sealed & deliuered in y^{e} p^{r}nce of James Walker.
Se + ale
The marke of
John ⊢⊣ Gouldsmith
The marke of
Edward E. P. Philpott.

The seuerall assignm^{ts} on y^{e} Backside of this Indenture are as ffolloweth (Viz)

I Christopher Carnall doe assigne all my right & tytle of this Condicōn to Will^{m} Herd & Richard Noris, them their heyres & assignes. As wittnes my hand the 24 of April 1656.

Wittnesses Christopher O Carnall.
his marke.
Will^{m} ∞ marshall
his marke
John Douglas.

Bee it knowne to all men by these p^{r}nts That I Christopher Carnall doe assigne ouer to Will^{m} Herd & Richard Moris all my right & tytle of this Condicōn, as wittnes my hand this present 24 of Aprill 1656.

Wittnessed by me Christopher O Carnall.
his marke.
Robert Robins
John Douglas.

Bee it Knowne to all men by these p^{r}nts That Wee Will^{m} Herd & Richard Moris doe assigne ouer to John Moris & Giles Tomkins all our right & title of this Condicōn, as Wittnes our hands this present 27 of July 1656. Liber P.C.R.

Wittnes by Us
John Douglas
Peter ⅄ Carre
his marke.

Will^{m} **H** Heard
his marke.
Richard **R** Mores
his marke.

Know all men by these p^{r}nts That I John morris of y^{e} Prouince of Maryland Plant^{r}, doe assigne all my right, tytle & claime unto a Condicon̄ herein specifyed from mee my heyres, Executo^{rs}, Adminis-t̄rato^{rs} for euer, unto him y^{e} afores^{d} G . . . le . . . Tomkins Plant^{r} of Maryland afores^{d} & to his heyres

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